

APPENDIX

REPORT OF THE COMMITTEE ON
ENROLLED BILLS

Committee Room,
Austin, Texas, April 21, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 69, Providing for the
suspension of Joint Rule VIII to con-
sider House Bill No. 154,

Has carefully compared same, and
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, April 20, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 150, "An Act to amend
Article 2218, Title 41, Chapter 9, of
the Revised Civil Statutes of 1925, by
providing that in cases of foreclosure
of real property where the proceeds
of the sale shall be insufficient to sat-
isfy the judgment on the debt that the
party obligated, shall have the right
to plead and prove the actual value of
the property at the time and place of
such sale, and shall be entitled to a
credit of any difference between its
actual value and the sale price of such
property; and providing that any ac-
tion or writ seeking to enforce any de-
ficiency judgment shall be commenced,
or application made therefor, within
six months from the date of any sale
of real estate, and declaring an emer-
gency,"

Has carefully compared same, and
finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, April 21, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 169, "An Act making ap-
propriations to pay the salaries of
officers and employes of the eleemosy-

nary institutions of the State, and
other expenses of maintaining and
conducting them for the two (2) fis-
cal years, beginning September 1,
1933, and ending August 31, 1935, as
follows, to wit: Abilene State Hos-
pital, Alabama and Coushatti Indians,
Austin State Hospital, Austin State
School, Colored Orphans Home, Gil-
mer; Confederate Home, Confederate
Woman's Home, Deaf, Dumb, and
Blind Institute for Colored Youths,
Girls Training School, Home of De-
pendent and Neglected Children, State
Hospital for Crippled and Deformed
Children at Galveston, State Juvenile
Training School, State Orphan Home,
Rusk State Hospital, San Antonio
State Hospital, Galveston State Psy-
chopathic Hospital, Terrell State Hos-
pital, State Tuberculosis Sanatorium,
Wichita Falls State Hospital, Texas
School for the Blind at Austin, Texas
School for the Deaf at Austin, and
declaring an emergency,"

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

FIFTY-FOURTH DAY

(Monday, April 24, 1933)

The House met at 9:30 o'clock a. m.,
pursuant to adjournment, and was
called to order by Speaker Stevenson,

The roll was called, and the follow-
ing Members were present:

| | |
|--------------|-------------|
| Mr. Speaker. | Chastain. |
| Adamson. | Clayton. |
| Aikin. | Coombes. |
| Alexander. | Crossley. |
| Alsup. | Daniel. |
| Anderson | Davidson. |
| of Bexar. | Dean. |
| Anderson | Devall. |
| of Johnson. | Dunlap. |
| Baker. | Dunagan. |
| Barrett. | Dwyer. |
| Barron. | Engelhard. |
| Beck. | Fain. |
| Bedford. | Fisher. |
| Bourne. | Ford. |
| Bradley. | Fuchs. |
| Burns. | Glass. |
| Butler. | Golson. |
| Calvert. | Good. |
| Camp. | Goodman. |
| Cathey. | Graves. |
| Caven. | Greathouse. |

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| Griffith. | Morrison. |
| Haag. | Morse. |
| Hankamer. | Munson. |
| Harman. | Nicholson. |
| Harris. | Palmer. |
| Harrison. | Parkhouse. |
| Hartzog. | Patterson. |
| Head. | Pavlica. |
| Hester. | Pope. |
| Hicks. | Puryear. |
| Hill of Brazoria. | Ramsey. |
| Hill of Webb. | Ratliff. |
| Hodges. | Ray. |
| Holekamp. | Reader. |
| Holland. | Reed of Bowie. |
| Holloway. | Reed of Dallas. |
| Hoskins. | Renfro. |
| Huddleston. | Riddle. |
| Hughes. | Roberts. |
| Hunt. | Rogers |
| Hyder. | of Ochiltree. |
| Jackson. | Rollins. |
| James. | Ross. |
| Jefferson. | Russell. |
| Jones of Atascosa. | Savage. |
| Jones of Runnels. | Scarborough. |
| Jones of Shelby. | Scott. |
| Kayton. | Shults. |
| Kyle of Hays. | Smith. |
| Kyle of Palo Pinto. | Stanfield. |
| Laird. | Steward. |
| Latham. | Stinson. |
| Lemens. | Stovall. |
| Leonard. | Sullivan. |
| Lindsey. | Tennyson. |
| Long. | Thomas. |
| Lotief. | Tillery. |
| Mackay. | Townsend. |
| Mathis. | Turlington. |
| McClain. | Van Zandt. |
| McCullough. | Vaughan. |
| McDougald. | Wagstaff. |
| McGregor. | Walker. |
| McKee. | Weinert. |
| Merritt. | Wells. |
| Metcalfe. | Winningham. |
| Mitcham. | Wood. |
| Moffett. | Young. |
| Moore. | |

Absent

| | |
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| Cowley. | Magee. |
| Johnson | |
| of Anderson. | |

Absent—Excused

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| Canon. | Rogers of Hunt. |
| Colson. | Shannon. |
| Duvall. | Tarwater. |
| Few. | West. |
| Johnson of Dimmit. | |

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Few for today, on motion of Mr. Puryear.

Mr. Canon for today, on motion of Mr. Savage.

Mr. West for today, on motion of Mr. Winningham.

Mr. Rogers of Hunt for today, on motion of Mr. Savage.

Mr. Devall for today, on motion of Mr. Calvert.

The following Members were granted leaves of absence on account of illness:

Mr. Tarwater for today, on motion of Mr. Ray.

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ford.

Mr. Colson for today, on motion of Mr. Palmer.

Mr. Shannon for today, on motion of Mr. Savage.

HOUSE BILLS ON FIRST READING

Mr. Chastain moved that the following bill be introduced today, laid before the House, read first time, and referred to the appropriate committee:

The motion prevailed by the following vote:

Yeas—90

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|-------------|---------------------|
| Adamson. | Haag. |
| Aikin. | Harman. |
| Alexander. | Harris. |
| Alsup. | Head. |
| Barrett. | Hester. |
| Beck. | Hicks. |
| Bedford. | Hodges. |
| Bourne. | Holland. |
| Bradley. | Holloway. |
| Burns. | Huddleston. |
| Chastain. | Hyder. |
| Clayton. | Jackson. |
| Coombes. | James. |
| Crossley. | Jefferson. |
| Davidson. | Jones of Atascosa. |
| Devall. | Jones of Runnels. |
| Dunagan. | Jones of Shelby. |
| Fain. | Kyle of Palo Pinto. |
| Ford. | Latham. |
| Fuchs. | Lemens. |
| Golson. | Lindsey. |
| Goodman. | Long. |
| Graves. | Lotief. |
| Greathouse. | Mackay. |
| Griffith. | Mathis. |

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| McClain. | Rogers |
| McCullough. | of Ochiltree. |
| McDougald. | Rollins. |
| Merritt. | Russell. |
| Moffett. | Savage. |
| Moore. | Scott. |
| Morrison. | Shults. |
| Nicholson. | Smith. |
| Palmer. | Steward. |
| Parkhouse. | Tennyson. |
| Patterson. | Thomas. |
| Pavlica. | Townsend. |
| Pope. | Turlington. |
| Puryear. | Van Zandt. |
| Ramsey. | Vaughan. |
| Reader. | Wagstaff. |
| Reed of Bowie. | Walker. |
| Reed of Dallas. | Weinert. |
| Riddle. | Wells. |
| Roberts. | Winningham. |
| | Young. |

Nays—11

| | |
|---------------|---------------|
| Anderson | Hughes. |
| of Johnson. | Hunt. |
| Calvert. | Kyle of Hays. |
| Camp. | Ratliff. |
| Glass. | Ray. |
| Hill of Webb. | Stinson. |

Absent

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|-------------------|--------------|
| Anderson | Johnson |
| of Bexar. | of Anderson. |
| Baker. | Kayton. |
| Barron. | Laird. |
| Butler. | Leonard. |
| Cathey. | Magee. |
| Caven. | McGregor. |
| Cowley. | McKee. |
| Daniel. | Metcalf. |
| Dean. | Mitcham. |
| Dunlap. | Morse. |
| Dwyer. | Munson. |
| Engelhard. | Renfro. |
| Fisher. | Ross. |
| Good. | Scarborough. |
| Hankamer. | Stanfield. |
| Harrison. | Stovall. |
| Hartzog. | Sullivan. |
| Hill of Brazoria. | Tillery. |
| Holekamp. | Wood. |
| Hoskins. | |

Absent—Excused

| | |
|--------------------|-----------------|
| Canon. | Rogers of Hunt. |
| Colson. | Shannon. |
| Duvall. | Tarwater. |
| Few. | West. |
| Johnson of Dimmit. | |

The Speaker then laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. Chastain, Mr. Lotief, Mr. Dunagan, Mr. Crossley, Mr. Mackay, Mr. Puryear, Mr. Scott, Mr. Good, Mr. Russell, Mr. Holloway, Mr. Latham, Mr. Pavlica, Mr. Rogers of Hunt, Mr. Fisher, and Mr. Alsup:

H. B. No. 899, A bill to be entitled "An Act prohibiting the Board of Regents or faculty members from expelling any student from any of the State schools by reason of deficiency grades; allowing students to remain in school if certain requirements are met relative to deficiency, and reinstating students heretofore dismissed; and declaring an emergency."

Referred to Committee on Education.

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Ratliff:

H. B. No. 900, A bill to be entitled "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, in counties having a population of not less than 16,563, and not more than 16,963, according to the last preceding Federal Census, not in excess of the limit now provided by law, which are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action, and because of the failure of the governing body of such districts to appoint the proper and statutory board of equalization; and which are insufficient, and void, or unenforceable on account of technical irregularities in the manner of preparing the books and reports of assessors assessing such property; etc.; and declaring an emergency."

Referred to Committee on School Districts.

BILLS LAID ON THE TABLE SUBJECT TO CALL

On motion of Mr. Jefferson, House Bill No. 183 was laid on the table subject to call.

On motion of Mr. Lotief, House Bill No. 337 was laid on the table subject to call.

On motion of McClain, House Bill No. 55, was laid on the table subject to call.

On motion of Mr. Weinert, House Bill No. 384 was laid on the table subject to call.

On motion of Mr. Hankamer, House Bill No. 555 was laid on the table subject to call.

MOTIONS TO LAY CERTAIN BILLS ON THE TABLE SUBJECT TO CALL

Mr. Butler moved that House Bill No. 586 be laid on the table subject to call.

The motion was lost.

Mr. Patterson moved that House Bill No. 563 be laid on the table subject to call.

The motion was lost.

Mr. Long moved that House Bill No. 184 be laid on the table subject to call.

The motion was lost.

Mr. Anderson of Bexar moved that House Bill No. 368 be laid on the table subject to call.

The motion was lost.

Mr. Chastain moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m., today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Chastain, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills.

H. B. No. 709, "An Act authorizing the board of directors of any water improvement district or water control and improvement district within the State to remit, in whole, or in part, the penalties and interest on all ad valorem taxes levied by such districts that are now delinquent and/or past due and unpaid, and which are paid on or before December 31, 1933, and declaring an emergency."

H. B. No. 663, "An Act authorizing any common school district, independent school district, consolidated common school district, consolidated independent school district, county line school district, consolidated county line school district, or rural school district to hold an election for the purpose of the cancellation and revocation of any unsold school bonds, and providing that such election shall be ordered and held in the same form and manner provided for in voting such school bonds; providing for the cancellation and destruction of such unsold school bonds retired by reason of such election, and the adjustment of existing tax levies, and refund of any taxes levied and collected in anticipation of the sale of such school bonds; etc.; and declaring an emergency."

H. B. No. 275, "An Act providing for a game breeder's license, the fee for same, effective date of such licenses; the privileges granted under such license, with certain restrictions; providing for keeping of record of the operation of game breeders; providing certain regulations in reference to the transportation of game; etc., and declaring an emergency."

S. B. No. 484, "An Act to create Road District No. 4, of Shelby County, Texas, validating and approving all orders made by the commissioners court of said County, in respect to the organization of said District; validating the authorization, issuance, and sale of certain bonds thereof, dated August 11, 1919, and numbered 171 to 210, inclusive, and also the bonds of said District, dated October 10, 1923, and numbered, respectively, from 1 to 50, inclusive, and providing for their payment by the annual levy, assessment, and collection of general ad valorem taxes, on all taxable property in said Road District; approving and validating all orders of the commissioners court of said County, in respect of said designated road district bonds, but none others, and taxes, or certified copies thereof, and constituting such orders legal evidence; and declaring an emergency."

H. B. No. 815, "An Act to amend Special Laws, 1920, Thirty-sixth Legislature, Third Called Session, page 75, Chapter 30, Subdivision 8, known as Senate Bill No. 8, so as to

provide for three local taxpayers to sit as a board of equalization, of which one shall be secretary of said equalization board, and shall fix a time for the meeting of such board of equalization; and declaring an emergency."

S. B. No. 133, "An Act providing for the appointment by the District Judge of the Twenty-fifth Judicial District of Texas, composed of the Counties of Guadalupe, Gonzales, Colorado, and Lavaca, or the judge of the judicial district of which the Counties of Guadalupe, Gonzales, Colorado, and Lavaca are a part thereof, of an official shorthand reporter for such district; etc."

S. B. No. 314, "An Act to prohibit the hunting, taking, shooting, or killing of any game bird, or any game animal, as defined in the laws of the State of Texas, in that part of Wichita County included within the following territory, to wit: Beginning at the center of the intersection of Tenth and Holliday Streets, in the City of Wichita Falls, Wichita County, Texas; thence in a southerly direction, down the center of said Holliday Street, to the corporate limits of the City of Wichita Falls; thence along the center of what is known as the Jacksboro-Wichita Falls Highway, being State Highway No. 66, to the center of the public road intersecting said Highway No. 66, on the north line of the J. R. McDowell Survey, Abstract No. 194; thence west with the center of said public road, along the north line of the said McDowell Survey, and north line of the G. Reynolds Survey, Abstract No. 251, to the northwest corner of said G. Reynolds Survey, and a corner of the Wichita Falls State Hospital lands; thence south along the center of said public road to the south line of said State Hospital lands."

S. B. No. 294, "An Act to abolish the office of Clerk of the Criminal District Court of Harris County, and to transfer the duties of said office to the Clerk of the District Court of Harris County; providing for the delivery of all supplies, furniture, and fixtures of any kind or character belonging to said office to the Clerk of the District Court of Harris County, and fixing the effective date of this Act."

ENDORSING HON. HENRY S. MOORE FOR CERTAIN POSITION

Mr. Morse offered the following resolution:

Whereas, Hon. Henry S. Moore, of Houston, Texas, has long been a faithful servant in the ranks of the Democratic Party, and has rendered an invaluable service to his State and the Nation; and

Whereas, Hon. Henry S. Moore has distinguished himself as an attorney in the City of Houston, and has added dignity and learning to the Bar of this State; and

Whereas, He has been a citizen of Texas during the whole of his life, rendering to his government an unceasing life of service, and has contributed much to the greater benefit and prosperity of his State, and has earned for himself an unblemished reputation as a scholar, and attorney, a citizen, and a Democrat; now, therefore, be it

Resolved by the House of Representatives, That they recommend to the proper authorities the appointment of Hon. Henry S. Moore, of Houston, Texas, as United States Marshal for the Southern District of Texas, and that a copy of this resolution be forwarded by the Chief Clerk to those authorities; and, be it further

Resolved, That the House of Representatives express its confidence in the ability and character of Hon. Henry S. Moore and respectfully urge his appointment.

Signed—Morse, Mathis, Holland, Bradley, Anderson of Johnson, Engelhard, Harrison, Patterson.

The resolution was read second time, and was adopted.

GRANTING PERMISSION TO SUE THE STATE

Mr. McGregor offered the following resolution:

H. C. R. No. 69-a, To grant Martin Brothers permission to sue the State.

Whereas, During the years 1931 and 1932, E. V. Martin, T. Q. Martin, and L. Singleton, acting under the firm name of Martin Brothers, General Contractors, operating under contract with the Texas State Highway Department, constructed a sec-

tion of Highway No. 11, in Morris County, Texas; and,

Whereas, After the final construction of said Highway, and the acceptance by the State Highway Department of that section constructed by said Martin Brothers, upon final settlement between said Martin Brothers and the State Highway Department, there existed a difference in the estimates of the work performed by Martin Brothers between the State Highway Department and said Martin Brothers of two thousand four hundred and ninety-one dollars and twenty-four cents (\$2,491.24); and,

Whereas, The State Highway Department refused and still refuses to pay to said Martin Brothers the said sum of two thousand four hundred and ninety-one dollars and twenty-four cents (\$2,491.24), and the said Martin Brothers claim that the State of Texas is due them said sum of two thousand four hundred and ninety-one dollars and twenty-four cents (\$2,491.24), notwithstanding the contention of the engineers of the State Highway Department and the State Highway Commission; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That permission be given to said Martin Brothers to sue the State of Texas upon said claim above-described.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

GRANTING PERMISSION TO SUE THE STATE

Mr. Metcalfe offered the following resolution:

H. C. R. No. 71, Granting John Minica permission to sue the State.

Whereas, On or about the eleventh day of April, 1932, John Minica, of Tom Green County, Texas, while working, as a laborer, for the State Highway Department of the State of Texas, a short distance north of Christoval, in said Tom Green County, Texas, as a result of the explosion of dynamite caps in use by said Department, suffered and sustained serious and permanent bodily injuries, in that his (the said John Minica's) left hand and a portion of his arm were blown off, so that amputation of such left arm between the

elbow and hand became and was necessary; and

Whereas, In consequence of such explosion, the said John Minica suffered and sustained the loss of the sight of both eyes, and is now completely blind, and will continue to be so for the remainder of his life; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said John Minica be, and he is hereby, granted permission to sue the State of Texas for damages for the personal injuries so sustained by him as aforesaid, and that such suit may be filed and instituted in the District Court of Tom Green County, Texas, in which county such injuries occurred, at any time within two years from the date hereof; and that said cause of action shall not be barred by limitation until two years from and after such date; and that such suit shall be tried and determined in the trial and appellate courts of this State, according to the same rules of law and procedure, as to liability and defenses, as if such suit were against an ordinary corporate Texas highway construction contractor; and that it is hereby provided that if such suit be instituted under the provisions of this resolution, service of process shall issue according to the rules of law governing such process in civil cases, and that such process, if and when issued, shall be directed to the Governor of the State of Texas, the Attorney General of the State of Texas, and the departmental head of the Maintenance Division of the State Highway Department, but that service of process upon the Governor and the Attorney General of the State of Texas shall be deemed to be sufficient.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

CONCERNING SUITS AGAINST THE STATE

Mr. McGregor offered the following resolution:

H. C. R. No. 70, Concerning suits brought against the State.

Whereas, This Legislature has, by numerous concurrent resolutions, authorized divers persons, firms, and corporations to bring suits against

the State of Texas for damages alleged to be due them by the State; and

Whereas, Many of these suits have been authorized to be filed in any court of competent jurisdiction in the State of Texas; and

Whereas, In some instances suits have been authorized to be brought in certain counties, and other suits will be filed in counties far remote from Austin, the seat of our State Government; and

Whereas, By reason of these suits being filed in various counties of the State, the State will necessarily be put to great expense in defending said suits; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That in all instances where permission has heretofore by this Legislature been granted by concurrent resolution to any person, firm, or corporation to sue the State in any court of competent jurisdiction, that such permission be hereby withdrawn, unless such suit shall be filed in a court of competent jurisdiction in Travis County, within one year from the date of the adoption of this resolution.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

HOUSE BILL NO. 578 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 578, A bill to be entitled "An Act defining certain words, terms, and phrases for the purposes of this Act; providing and imposing an occupation tax on sales, in intrastate commerce in this State, of cigarettes, according to their weight; providing that the payment of such tax shall be evidenced by stamps furnished by the State Treasurer; authorizing and requiring the Treasurer to design and have printed or manufactured such stamps; requiring such stamps to be affixed on each individual package of cigarettes; providing that such stamps shall be supplied by the Treasurer to all licensed dealers, at a discount, when purchased in certain quantities; etc.; and declaring an emergency";

The bill having heretofore been read second time, with amendment by Mr. Reed of Bowie, pending.

Mr. Reed of Bowie withdrew the pending amendment.

Mr. Tennyson and others offered the following amendment to the bill:

Amend House Bill No. 578, Section 3, page 6, by striking out lines 30 and 31, and all except the last three words in line 32, and insert in lieu thereof the following:

"The proceeds derived from the sale of such stamps shall be placed to the credit of the State Available School Fund."

Signed—Tennyson, Bedford, Aikin, Wagstaff, Harris, Canon, Wells, Dunagan, Hankamer, Magee, Clayton, Glass, Davidson, Burns, Camp.

Mr. Metcalfe offered the following substitute for the amendment by Mr. Tennyson:

Substitute for amendment by Wagstaff, Tennyson, et al., to House Bill No. 578:

"Provided, that all the revenue derived from this tax shall be credited to the Available School Fund for the years ending August 31, 1934, and August 31, 1935, and thereafter, one-half shall be credited to the General Fund and one-half to the Available School Fund."

Mr. Tennyson moved to table the amendment.

The motion to table was lost.

Question recurring on the substitute amendment, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

Yeas—75

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| Adamson. | Crossley. |
| Alexander. | Daniel. |
| Alsup. | Dean. |
| Anderson | Engelhard. |
| of Bexar. | Fain. |
| Anderson | Fisher. |
| of Johnson. | Fuchs. |
| Barron. | Golson. |
| Beck. | Goodman. |
| Bourne. | Greathouse. |
| Burns. | Griffith. |
| Butler. | Haag. |
| Calvert. | Hartzog. |
| Camp. | Hicks. |
| Cathey. | Hill of Webb. |
| Caven. | Hodges. |
| Chastain. | Holekamp. |
| Coombes. | Holloway. |

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| Hoskins. | Ray. |
| Hughes. | Reader. |
| Jackson. | Roberts. |
| James. | Rogers of Ochiltree. |
| Jones of Runnels. | Scott. |
| Leonard. | Shults. |
| Lindsey. | Smith. |
| Lotief. | Stanfield. |
| Mackay. | Stinson. |
| McGregor. | Stovall. |
| Metcalfe. | Thomas. |
| Moffett. | Tillery. |
| Moore. | Van Zandt. |
| Morrison. | Vaughan. |
| Morse. | Wagstaff. |
| Munson. | Walker. |
| Nicholson. | Weinert. |
| Patterson. | Wells. |
| Pope. | Winningham. |
| Ramsey. | Young. |
| Ratliff. | |

Nays—45

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|--------------------|---------------------|
| Aikin. | Kyle of Hays. |
| Baker. | Kyle of Palo Pinto. |
| Barrett. | Latham. |
| Bedford. | Mathis. |
| Bradley. | McClain. |
| Clayton. | McCullough. |
| Davidson. | McKee. |
| Devall. | Mitcham. |
| Dunagan. | Parkhouse. |
| Ford. | Pavlica. |
| Glass. | Puryear. |
| Graves. | Reed of Bowie. |
| Hankamer. | Reed of Dallas. |
| Harris. | Renfro. |
| Harrison. | Riddle. |
| Head. | Rollins. |
| Hester. | Ross. |
| Huddleston. | Sullivant. |
| Hunt. | Tennyson. |
| Hyder. | Townsend. |
| Jefferson. | Turlington. |
| Jones of Atascosa. | Wood. |
| Jones of Shelby. | |

Present—Not Voting

Laird.

Absent

| | |
|-------------------|--------------|
| Cowley. | Long. |
| Dunlap. | Magee. |
| Dwyer. | McDougald. |
| Good. | Merritt. |
| Hill of Brazoria. | Palmer. |
| Holland. | Russell. |
| Johnson | Savage. |
| of Anderson. | Scarborough. |
| Kayton. | Steward. |
| Lemens. | |

Absent—Excused

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|---------|--------------------|
| Canon. | Johnson of Dimmit. |
| Colson. | Rogers of Hunt. |
| Duvall. | Shannon. |
| Few. | Tarwater. |
| Harman. | West. |

Question then recurring on the amendment as substituted, it was adopted.

Mr. Coombes offered the following amendment to the bill:

Amend House Bill No. 578, page 5, line 21, by changing figures "\$1.50" to "50 cents," and line 22, by changing figures "\$3.60" to "\$1.20."

Mr. Wells moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—114

| | |
|---------------|---------------------|
| Adamson. | Holloway. |
| Aikin. | Huddleston. |
| Alexander. | Hughes. |
| Alsup. | Hunt. |
| Anderson | Hyder. |
| of Johnson. | James. |
| Baker. | Jefferson. |
| Barrett. | Jones of Atascosa. |
| Beck. | Jones of Runnels. |
| Bedford. | Jones of Shelby. |
| Bourne. | Kyle of Hays. |
| Bradley. | Kyle of Palo Pinto. |
| Burns. | Laird. |
| Butler. | Latham. |
| Calvert. | Lemens. |
| Camp. | Leonard. |
| Caven. | Lindsey. |
| Chastain. | Lotief. |
| Clayton. | Mackay. |
| Crossley. | McClain. |
| Daniel. | McCullough. |
| Davidson. | McDougald. |
| Dean. | McKee. |
| Devall. | Merritt. |
| Dunlap. | Mitcham. |
| Dunagan. | Moffett. |
| Dwyer. | Moore. |
| Engelhard. | Morrison. |
| Fain. | Morse. |
| Fisher. | Munson. |
| Ford. | Nicholson. |
| Fuchs. | Palmer. |
| Glass. | Parkhouse. |
| Golson. | Patterson. |
| Goodman. | Puryear. |
| Graves. | Ramsey. |
| Greathouse. | Ratliff. |
| Griffith. | Ray. |
| Harris. | Reader. |
| Head. | Reed of Bowie. |
| Hester. | Reed of Dallas. |
| Hicks. | Renfro. |
| Hill of Webb. | Riddle. |
| Hodges. | Roberts. |
| Holekamp. | Rogers |
| Holland. | of Ochiltree. |

| | |
|--------------|-------------|
| Rollins. | Thomas. |
| Ross. | Tillery. |
| Russell. | Townsend. |
| Scarborough. | Turlington. |
| Scott. | Van Zandt. |
| Shults. | Vaughan. |
| Smith. | Wagstaff. |
| Stanfield. | Weinert. |
| Steward. | Wells. |
| Stinson. | Winningham. |
| Stovall. | Wood. |
| Tennyson. | Young. |

Nays—4

| | |
|----------|-------------------|
| Cathey. | Hill of Brazoria. |
| Coombes. | Long. |

Absent

| | |
|-----------|--------------|
| Anderson | Johnson |
| of Bexar. | of Anderson. |
| Barron. | Kayton. |
| Cowley. | Magee. |
| Good. | Mathis. |
| Haag. | McGregor. |
| Hankamer. | Metcalfe. |
| Harrison. | Pavlica. |
| Hartzog. | Pope. |
| Hoskins. | Savage. |
| Jackson. | Sullivant. |
| | Walker. |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | Tarwater. |
| | West. |

Mr. Pope offered the following amendment to the bill:

Amend House Bill No. 578 by adding, at the end of Section 21, the following:

"Provided, that the Comptroller shall not make any expenditure of said commissions, except and until same are duly itemized and designated for specific purposes, as required by the State Constitution."

The amendment was adopted.

On motion of Mr. Wells, by unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Mr. Graves asked unanimous consent of the House to add the name of Mr. Wells to the bill as one of the signers thereof.

There was no objection offered, and it was so ordered.

House Bill No. 578 was then passed to engrossment.

HOUSE BILL NO. 578 ON THIRD READING

Mr. Wells moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 578 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

| | |
|---------------|---------------------|
| Adamson. | Hughes. |
| Aikin. | Hunt. |
| Alexander. | Hyder. |
| Alsup. | Jackson. |
| Anderson | James. |
| of Bexar. | Jefferson. |
| Anderson | Jones of Atascosa. |
| of Johnson. | Jones of Runnels. |
| Baker. | Jones of Shelby. |
| Barrett. | Kyle of Hays. |
| Barron. | Kyle of Palo Pinto. |
| Beck. | Laird. |
| Bedford. | Latham. |
| Bourne. | Lemens. |
| Bradley. | Leonard. |
| Burns. | Lindsey. |
| Butler. | Long. |
| Calvert. | Lotief. |
| Camp. | Mackay. |
| Cathey. | McClain. |
| Caven. | McCullough. |
| Chastain. | McDougald. |
| Clayton. | McKee. |
| Coombes. | Merritt. |
| Crossley. | Mitcham. |
| Daniel. | Moffett. |
| Davidson. | Moore. |
| Dean. | Morrison. |
| Devall. | Morse. |
| Dunlap. | Munson. |
| Dunagan. | Nicholson. |
| Engelhard. | Palmer. |
| Fain. | Parkhouse. |
| Fisher. | Patterson. |
| Ford. | Pavlica. |
| Fuchs. | Pope. |
| Glass. | Puryear. |
| Golson. | Ramsey. |
| Goodman. | Ratliff. |
| Graves. | Ray. |
| Greathouse. | Reader. |
| Griffith. | Reed of Bowie. |
| Hankamer. | Reed of Dallas. |
| Harris. | Renfro. |
| Harrison. | Riddle. |
| Head. | Roberts. |
| Hester. | Rogers |
| Hicks. | of Ochiltree. |
| Hill of Webb. | Rollins. |
| Hodges. | Ross. |
| Holekamp. | Russell. |
| Holland. | Savage. |
| Holloway. | Scott. |
| Huddleston. | Shults. |

| | |
|-------------|-------------|
| Smith. | Van Zandt. |
| Stanfield. | Vaughan. |
| Steward. | Wagstaff. |
| Stinson. | Walker. |
| Stovall. | Weinert. |
| Tennyson. | Wells. |
| Thomas. | Winningham. |
| Tillery. | Wood. |
| Townsend. | Young. |
| Turlington. | |

Absent

| | |
|----------------------|--------------|
| Cowley. | Kayton. |
| Dwyer. | Magee. |
| Good. | Mathis. |
| Haag. | McGregor. |
| Hartzog. | Metcalf. |
| Hill of Brazoria. | Scarborough. |
| Hoskins. | Sullivant. |
| Johnson of Anderson. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | Tarwater. |
| | West. |

The Speaker then laid House Bill No. 578 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—126

| | |
|-------------|-------------------|
| Adamson. | Dunagan. |
| Aikin. | Dwyer. |
| Alexander. | Engelhard. |
| Alsup. | Fain. |
| Anderson | Fisher. |
| of Bexar. | Ford. |
| Anderson | Fuchs. |
| of Johnson. | Glass. |
| Baker. | Golson. |
| Barrett. | Goodman. |
| Barron. | Graves. |
| Beck. | Greathouse. |
| Bedford. | Griffith. |
| Bourne. | Hankamer. |
| Bradley. | Harris. |
| Burns. | Harrison. |
| Butler. | Hartzog. |
| Calvert. | Head. |
| Camp. | Hester. |
| Cathey. | Hicks. |
| Caven. | Hill of Brazoria. |
| Chastain. | Hodges. |
| Clayton. | Holekamp. |
| Crossley. | Holland. |
| Daniel. | Holloway. |
| Davidson. | Huddleston. |
| Dean. | Hughes. |
| Devall. | Hyder. |
| Dunlap. | Jackson. |

| | |
|---------------------|-----------------|
| James. | Reader. |
| Jefferson. | Reed of Bowie. |
| Jones of Atascosa. | Reed of Dallas. |
| Jones of Runnels. | Renfro. |
| Jones of Shelby. | Riddle. |
| Kayton. | Roberts. |
| Kyle of Hays. | Rogers |
| Kyle of Palo Pinto. | of Ochiltree. |
| Laird. | Rollins. |
| Latham. | Ross. |
| Lemens. | Russell. |
| Lindsey. | Savage. |
| Lotief. | Scarborough. |
| Mackay. | Scott. |
| Mathis. | Shults. |
| McClain. | Smith. |
| McCullough. | Stanfield. |
| McDougald. | Steward. |
| McKee. | Stinson. |
| Merritt. | Stovall. |
| Metcalf. | Sullivant. |
| Mitcham. | Tennyson. |
| Moffett. | Thomas. |
| Moore. | Tillery. |
| Morrison. | Townsend. |
| Morse. | Turlington. |
| Munson. | Van Zandt. |
| Nicholson. | Vaughan. |
| Palmer. | Wagstaff. |
| Parkhouse. | Walker. |
| Patterson. | Weinert. |
| Pavlica. | Wells. |
| Puryear. | Winningham. |
| Ramsey. | Wood. |
| Ratliff. | Young. |
| Ray. | |

Nays—2

| | |
|---------------|--------------|
| Coombes. | Long. |
| | Absent |
| Cowley. | Johnson |
| Good. | of Anderson. |
| Haag. | Leonard. |
| Hill of Webb. | Magee. |
| Hoskins. | McGregor. |
| Hunt. | Pope. |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | Tarwater. |
| | West. |

SENATE BILL NO. 139 ON FINAL PASSAGE

The Speaker, by unanimous consent of the House, laid before the House, for consideration at this time,

S. B. No. 139, A bill to be entitled "An Act to amend Articles 6229, 6230, 6231, 6232, 6233, 6234, 6235, 6236, 6237, 6238, 6239, 6240, 6241,

6242, and 6243, Title 109, Chapter 2, of the Revised Civil Statutes of 1925, providing pension fund for employes of cities and towns over ten thousand (10,000) inhabitants in the State of Texas, and declaring an emergency";

The bill having heretofore been read third time.

Senate Bill No. 139 was then passed by the following vote:

Yeas—113

| | |
|-------------------|---------------------|
| Adamson. | Hughes. |
| Aikin. | Hyder. |
| Alexander. | Jackson. |
| Alsup. | James. |
| Anderson | Jefferson. |
| of Bexar. | Jones of Atascosa. |
| Anderson | Jones of Runnels. |
| of Johnson. | Jones of Shelby. |
| Baker. | Kyle of Hays. |
| Barrett. | Kyle of Palo Pinto. |
| Barron. | Laird. |
| Beck. | Latham. |
| Bedford. | Lemens. |
| Bourne. | Lindsey. |
| Bradley. | Lotief. |
| Burns. | Mackay. |
| Butler. | Mathis. |
| Calvert. | McClain. |
| Camp. | McCullough. |
| Cathey. | McDougald. |
| Caven. | McKee. |
| Chastain. | Moffett. |
| Clayton. | Moore. |
| Crossley. | Morrison. |
| Daniel. | Morse. |
| Davidson. | Munson. |
| Dean. | Nicholson. |
| Devall. | Parkhouse. |
| Dunlap. | Patterson. |
| Dunagan. | Pavlica. |
| Dwyer. | Ramsey. |
| Fain. | Ratliff. |
| Fisher. | Ray. |
| Ford. | Reader. |
| Fuchs. | Reed of Bowie. |
| Glass. | Reed of Dallas. |
| Golson. | Renfro. |
| Goodman. | Riddle. |
| Griffith. | Rogers of Hunt. |
| Hankamer. | Rogers |
| Harris. | of Ochiltree. |
| Hartzog. | Rollins. |
| Head. | Ross. |
| Hester. | Russell. |
| Hicks. | Scott. |
| Hill of Brazoria. | Shults. |
| Hill of Webb. | Smith. |
| Hodges. | Steward. |
| Holekamp. | Stinson. |
| Holland. | Stovall. |
| Holloway. | Sullivant. |
| Hoskins. | Tennyson. |

| | |
|-------------|-------------|
| Thomas. | Wagstaff. |
| Tillery. | Walker. |
| Townsend. | Weinert. |
| Turlington. | Wells. |
| Van Zandt. | Winningham. |
| Vaughan. | Young. |

Nays—2

| | |
|----------|----------|
| Merritt. | Puryear. |
|----------|----------|

Absent

| | |
|--------------|--------------|
| Coombes. | Leonard. |
| Cowley. | Long. |
| Engelhard. | Magee. |
| Good. | McGregor. |
| Graves. | Metcalf. |
| Greathouse. | Mitcham. |
| Haag. | Palmer. |
| Harrison. | Pope. |
| Huddleston. | Savage. |
| Hunt. | Scarborough. |
| Johnson | Stanfield. |
| of Anderson. | Wood. |
| Kayton. | |

Absent—Excused

| | |
|---------|------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Roberts. |
| Few. | Shannon. |
| Harman. | Tarwater. |
| | West. |

HOUSE BILL NO. 710 ON PASSAGE
TO ENGROSSMENT

The Speaker laid before the House, on its passage to engrossment,

H. B. No. 710, A bill to be entitled "An Act providing chattel mortgages, given as security for money advanced to purchase motor vehicles, when registered as required by law, will be superior to the claim of other creditors, though the motor vehicle may be exposed for sale, and declaring an emergency";

The bill having heretofore been read second time.

House Bill No. 710 was then passed to engrossment.

HOUSE BILL NO. 710 ON THIRD
READING

Mr. Holland moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 710 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

| | |
|--------------------|---------------------|
| Adamson. | Kyle of Hays. |
| Aikin. | Kyle of Palo Pinto. |
| Alexander. | Laird. |
| Alsup. | Latham. |
| Anderson | Lemens. |
| of Bexar. | Leonard. |
| Anderson | Lindsey. |
| of Johnson. | Long. |
| Baker. | Mackay. |
| Barrett. | Mathis. |
| Barron. | McClain. |
| Bedford. | McCullough. |
| Bourne. | McDougald. |
| Bradley. | McGregor. |
| Burns. | McKee. |
| Butler. | Merritt. |
| Calvert. | Mitcham. |
| Camp. | Moffett. |
| Caven. | Moore. |
| Chastain. | Morrison. |
| Clayton. | Morse. |
| Coombes. | Munson. |
| Crossley. | Nicholson. |
| Daniel. | Pavlica. |
| Davidson. | Pope. |
| Dean. | Puryear. |
| Devall. | Ramsey. |
| Dunagan. | Ratliff. |
| Dwyer. | Ray. |
| Engelhard. | Reader. |
| Fain. | Reed of Bowie. |
| Fisher. | Reed of Dallas. |
| Ford. | Renfro. |
| Fuchs. | Riddle. |
| Glass. | Roberts. |
| Golson. | Rollins. |
| Goodman. | Ross. |
| Graves. | Russell. |
| Greathouse. | Savage. |
| Griffith. | Scarborough. |
| Haag. | Scott. |
| Hankamer. | Shults. |
| Harris. | Smith. |
| Harrison. | Stanfield. |
| Hartzog. | Steward. |
| Head. | Stinson. |
| Hester. | Stovall. |
| Hill of Brazoria. | Sullivant. |
| Hill of Webb. | Tennyson. |
| Hodges. | Thomas. |
| Holekamp. | Tillery. |
| Holland. | Townsend. |
| Holloway. | Turlington. |
| Hoskins. | Van Zandt. |
| Hughes. | Vaughan. |
| Hunt. | Wagstaff. |
| Hyder. | Walker. |
| Jackson. | Weinert. |
| James. | Wells. |
| Jefferson. | Winningham. |
| Jones of Atascosa. | Wood. |
| Jones of Runnels. | Young. |
| Jones of Shelby. | |

Present—Not Voting

Lotief.

Absent

| | |
|--------------|---------------|
| Beck. | Kayton. |
| Cathey. | Magee. |
| Cowley. | Metcalfe. |
| Dunlap. | Palmer. |
| Good. | Parkhouse. |
| Hicks. | Patterson. |
| Huddleston. | Rogers |
| Johnson | of Ochiltree. |
| of Anderson. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | Tarwater. |
| | West. |

The Speaker then laid House Bill No. 710 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—117

| | |
|-------------|---------------------|
| Adamson. | Hartzog. |
| Alexander. | Head. |
| Alsup. | Hester. |
| Anderson | Hicks. |
| of Johnson. | Hill of Brazoria. |
| Baker. | Hill of Webb. |
| Barrett. | Hodges. |
| Barron. | Holekamp. |
| Bedford. | Holland. |
| Bourne. | Holloway. |
| Bradley. | Hoskins. |
| Burns. | Huddleston. |
| Butler. | Hughes. |
| Camp. | Hunt. |
| Cathey. | Hyder. |
| Caven. | Jackson. |
| Chastain. | James. |
| Clayton. | Jefferson. |
| Coombes. | Jones of Runnels. |
| Crossley. | Jones of Shelby. |
| Daniel. | Kayton. |
| Davidson. | Kyle of Hays. |
| Dean. | Kyle of Palo Pinto. |
| Devall. | Laird. |
| Dunlap. | Latham. |
| Dunagan. | Lemens. |
| Engelhard. | Leonard. |
| Fain. | Lindsey. |
| Fisher. | Long. |
| Fuchs. | Mackay. |
| Glass. | Mathis. |
| Golson. | McClain. |
| Griffith. | McDougald. |
| Hankamer. | McGregor. |
| Harris. | McKee. |
| Harrison. | Metcalfe. |

| | |
|-----------------|--------------|
| Mitcham. | Scarborough. |
| Moffett. | Scott. |
| Moore. | Shults. |
| Morrison. | Smith. |
| Morse. | Stanfield. |
| Munson. | Steward. |
| Nicholson. | Stinson. |
| Patterson. | Stovall. |
| Pavlica. | Sullivant. |
| Pope. | Tennyson. |
| Puryear. | Thomas. |
| Ramsey. | Tillery. |
| Ratliff. | Townsend. |
| Ray. | Turlington. |
| Reader. | Van Zandt. |
| Reed of Dallas. | Vaughan. |
| Renfro. | Wagstaff. |
| Riddle. | Walker. |
| Roberts. | Weinert. |
| Rollins. | Wells. |
| Ross. | Winningham. |
| Russell. | Wood. |
| Savage. | Young. |

Nays—3

| | |
|-------------|----------------|
| Aikin. | Reed of Bowie. |
| Greathouse. | |

Present—Not Voting

Lotief.

Absent

| | |
|-----------------------|-------------------------|
| Anderson of Bexar. | Johnson of Anderson. |
| Beck. | Jones of Atascosa. |
| Calvert. | Magee. |
| Cowley. | McCullough. |
| Dwyer. | Merritt. |
| Ford. | Palmer. |
| Good. | Parkhouse. |
| Goodman. | Rogers |
| Graves. | of Ochiltree. |
| Haag. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duval. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | Tarwater. |
| | West. |

(Mr. Mathis in the Chair.)

HOUSE BILL NO. 70 ON SECOND
READING

On motion of Mr. Stevenson, by unanimous consent of the House, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 70, A bill to be entitled "An Act to amend Article 904, Penal Code of the State of Texas, 1925, relating to fees for hunting by a resi-

dent of this State hunting outside of the county of his residence, and to non-residents and aliens hunting in this State, fixing the fees for same; providing for the issuance of such licenses; etc."

The bill was read second time.

Question—Shall the bill pass to engrossment?

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 4, A bill to be entitled "An Act to amend Article 5006, of the Revised Civil Statutes of Texas, of 1925, so as to include the bonds or other interest-bearing evidence of indebtedness of navigation districts among those in which insurance companies are authorized to invest their funds; and declaring an emergency."

S. B. No. 5, A bill to be entitled "An Act to amend Article 2029, of the Revised Civil Statutes of Texas, of 1925, as amended by Chapter 124, of the Acts of the Regular Session of the Forty-first Legislature of the State of Texas, so as to add navigation districts' bonds to those acceptable for deposit by State depositories; and declaring an emergency."

S. B. No. 44, A bill to be entitled "An Act authorizing cities and towns to create appraisal boards for the purpose of valuing property within the limits of cities and towns for fire insurance purposes, and providing that where cities and towns, acting under such authority, create such board, then no fire insurance policy shall be issued upon property within such city or town without obtaining a certificate of valuation from the board, and providing further, that in the event fire insurance in excess of the value fixed by said board is placed upon any property, and such property is destroyed or damaged, no loss resulting therefrom shall be taken into consideration in fixing fire insurance rates or determining insurance penalties to be assessed against such cities and towns, and declaring an emergency."

S. B. No. 77, A bill to be entitled "An Act to amend Article 4145, Revised Civil Statutes, so as to provide that surviving guardians appointed by will may be exempt from bond for management of estate of minors, and declaring an emergency."

S. B. No. 56, A bill to be entitled "An Act withdrawing from appearing party review in Court of Civil Appeals by means of writ of error, and declaring an emergency."

S. B. No. 137, A bill to be entitled "An Act to authorize and empower parties to make the State of Texas a defendant to causes of action affecting real estate, for the purpose of determining priority of liens, whenever it appears that the State has a recorded judgment lien or liens on such real estate, where such judgment lien arose out of a judgment of forfeiture of a bail bond; providing for a method of procedure, and limiting the right of joinder to that particular class of cases enumerated; providing that no costs or money judgment shall be rendered against the State; providing that if a part of this Act is declared unconstitutional, it shall not affect the remaining part of this Act, repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 148, A bill to be entitled "An Act to amend Article 1302, of the Revised Civil Statutes of the State of Texas, 1925, by adding a new Section, to be known as 95-a, to provide for the creation of corporations for the purpose of dealing in agricultural commodities, poultry, dairy products, and live stock produced in the United States; enumerating the power and authority of such corporations, and declaring an emergency."

S. B. No. 170, A bill to be entitled "An Act amending Sections 3, 4, 14-b, 14-d, and 14-e, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, so as to provide the license fees on motor vehicles, imposed by Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, will not become delinquent until on and after April first of the calendar year for which the license fee is imposed; and prescribing a penalty for failure to comply with the terms of this Act."

S. B. No. 171, A bill to be entitled "An Act to prohibit the purchase of motor vehicles by State officers or employes in all cases where no specific appropriation has been made authorizing the same; providing that the Comptroller be prohibited from issuing or paying any warrant in violation of this Act; limiting the price to be paid for any motor vehicle or automobile; and declaring an emergency."

S. B. No. 220, A bill to be entitled "An Act amending Section 1, Chapter 213, Acts of the Regular Session, Forty-second Legislature, Special Laws, and declaring an emergency."

S. B. No. 242, A bill to be entitled "An Act to provide an emergency appropriation of one million five hundred and eighty-two thousand eight hundred and ninety-one dollars (\$1,582,891), or as much thereof as may be necessary, to be used for the payment of salary aid, high school per capita aid, industrial aid, tax supplementary aid, high school tuition aid, transportation aid, consolidation bonus; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 319, A bill to be entitled "An Act fixing the amount of penalty and interest on delinquent taxes due the State of Texas, or any political subdivision thereof, regulating time of payment thereof, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

S. B. No. 337, A bill to be entitled "An Act to authorize the State Highway Commission of Texas to construct, operate, and maintain, out of funds available for that purpose, highway bridges over and across the intracoastal waterway of Louisiana and Texas; and declaring an emergency."

S. B. No. 275, A bill to be entitled "An Act to transfer the funds of the Sand, Shell, and Gravel Fund, the Fish and Oyster Fund, and the Fish Propagation and Protection Fund to the Special Game Fund; providing for the placing to the credit of the Special Game Fund future collections provided for under the law that now

are placed to the credit of the Sand, Shell, and Gravel Fund, the Fish and Oyster Fund, and the Fish Propagation and Protection Fund; providing for what purposes the Special Game Fund shall be spent, and declaring an emergency."

S. B. No. 359, A bill to be entitled "An Act to amend Article 261, of the Revised Civil Statutes, of 1925, relating to assignments for the benefit of creditors; and declaring an emergency."

S. B. No. 360, A bill to be entitled "An Act authorizing the Republic Bank & Trust Company of Austin, Texas, and the First National Bank of Dekalb, Texas, at Dekalb, Texas, as innocent purchasers of certain deficiency certificates issued by the Comptroller of the State of Texas, to sue the State of Texas on said deficiency certificates; defining 'innocent purchasers,' and procedure for said suits; and providing for the method and time of payment and appropriation funds out of which payment may be made; and declaring an emergency."

S. B. No. 380, A bill to be entitled "An Act declaring it to be mandatory upon the Legislature of the State of Texas, under the Constitution, to enact laws to compel the conservation and development of the natural resources of this State, declaring the oil and gas resources of this State to be natural resources thereof attributing largely to the public welfare, and declaring the orderly transportation and marketing of oil and gas to be an industry of great public importance; creating the Texas State Oil and Gas Conservation and Marketing Association, a governmental agency and body corporate, with all general powers incident thereto; etc., and declaring an emergency."

S. B. No. 417, A bill to be entitled "An Act providing that the notes, bonds, or other obligations or evidences of indebtedness of any person, firm, or corporation holding mortgages or other liens on Texas real estate, may be tendered and shall be accepted in payment and satisfaction in whole or in part of the principle or interest due or to become due on such indebtedness, and declaring an emergency."

S. B. No. 429, A bill to be entitled "An Act to provide and establish the two-platoon system for firemen in all cities of 50,000 inhabitants, or more, in this State, according to the last preceding Federal Census, and providing the number of hours such firemen shall be on duty; and providing a penalty for the violation of same, and declaring an emergency."

S. B. No. 461, A bill to be entitled "An Act to amend Chapter 163, Acts of the Regular Session of the Forty-second Legislature, by adding thereto a new section restricting the interest rate to be borne by funding bonds, providing that the methods of authorizing and issuing and the interest rates of funding bonds, as determined in said law, shall take precedence of all special city charter provisions of the contrary, and declaring an emergency."

S. B. No. 491, A bill to be entitled "An Act authorizing the State Board of Control to compile and promulgate standard specifications for all State supplies; providing that the State Board of Control shall be authorized to make purchases based on such standards; providing that the State Board of Control shall request from The University of Texas, A. & M. College, Texas Technological College, and any other school or State and/or Federal agency, assistance in compiling and promulgating standard specifications, and declaring an emergency."

S. B. No. 492, A bill to be entitled "An Act to amend Chapter 2, Title 78, Revised Civil Statutes, of 1925, permitting the organization of fraternal benefit societies on a limited basis; providing the requirements that must be met before permit shall be issued to such society by the Insurance Department of the State of Texas; providing that a society, organized under this provision, shall be subject to all the provisions of Chapter 8, that are applicable; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 493, A bill to be entitled "An Act to repeal Article 587, of the Penal Code, Acts, 1909, page 289, Acts, 1921, page 152; and declaring an emergency."

S. B. No. 526, A bill to be entitled "An Act providing that when the county depository of any county having a population of not less than 43,100 and not more than 43,200, according to the next preceding Federal Census, has pledged securities in lieu of a personal or surety bond to secure the county funds of such county, and it becomes necessary for the county to take over such pledged securities, it shall be lawful for such counties to accept such securities so pledged, and to credit the depository bank with the amount thereof, and to charge said depository bank with the total amount of county funds then on deposit in said county depository, and declaring an emergency."

H. B. No. 878, A bill to be entitled "An Act amending Section 1, of Chapter 58, of the General Laws of the Forty-second Legislature, Regular Session, re-defining 'marginal wells,' and declaring an emergency."

The Senate has adopted

S. J. R. No. 3, Proposing an amendment to the Constitution of the State of Texas by adding to Article IX thereof a new Section, to be numbered 3, so as to authorize any county to adopt a home rule charter for the establishment and regulation of its government, and further providing that the Legislature shall pass all laws necessary to carry out the intent and purpose of this section of the Constitution.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS

On motion of Mr. Pope, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by Mr. Mathis.

HOUSE BILL NO. 70 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 70, relating to fees

for hunting by a resident of the State, etc.; the bill having heretofore been read second time.

Mr. Lemens offered the following committee amendment to the bill:

Amend House Bill No. 70 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. All moneys collected from the sale or disposal of sand, shell, gravel, mud shell, or marl, that is the property of this State, as defined in Article 4051, Revised Civil Statutes, sold or taken on or after September 1, 1933, shall be deposited in the State Treasury to the credit of the General Revenue Fund.

"Sec. 2. That Article 904, Penal Code, 1925, State of Texas, be amended to hereafter read as follows:

"Article 904. It shall be unlawful for any citizen of this State to hunt with a gun any game bird or game animal in this State without first having procured a resident hunting license, for which he shall pay the sum of two dollars (\$2); provided that no hunting license shall be required of any citizen of this State under the age of seventeen years, or of any citizen of this State when hunting with a gun on property which he owns or on which he resides, or when hunting squirrels in the county of his residence.

"It shall be unlawful for any alien or any non-resident of this State to hunt with a gun in this State without first having procured a non-resident hunting license, for which he shall pay the sum of twenty-five dollars (\$25).

"Any person who hunts with a gun in this State, without first having procured, or without having in his possession, such valid hunting license as is required of him under the provisions of this Act, or any person who fails or refuses on demand of any officer of this State to show such officer the hunting license required of him by this Act, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in a sum not less than ten dollars (\$10), nor more than one hundred dollars (\$100), and shall automatically forfeit his right to hunt with a gun in this State for a period of one year following date of conviction."

"Sec. 3. No citizen of this State shall take, catch, or attempt to take or catch any fish from any of the waters of this State without first having procured a resident angler's license, and for which license he shall pay the sum of one dollar and ten cents (\$1.10); provided that a resident angler's license shall not be required of any citizen of this State under the age of seventeen years, or of any citizen fishing in the county of his residence, or in any stream bordering the county of his residence; provided that a resident angler's license shall not be required of a resident citizen of Texas who holds a license for commercial fishing under Article 4032, Revised Civil Statutes of Texas, 1925, so long as he does only commercial fishing.

"Sec. 4. Any non-resident or alien, before fishing in any of the waters of this State, or before catching, taking, or attempting to take or catch any fish from any of the waters of this State, shall procure either a non-resident angler's license or a non-resident angler's vacation license. For a non-resident angler's license he shall pay the sum of five dollars (\$5) or for a non-resident angler's vacation license, valid for a period of ten days from date of issuance, he shall pay the sum of one dollar and ten cents (\$1.10).

"Sec. 5. Any person fishing, catching, taking, or attempting to catch or take any fish from any waters in this State, without first having procured, or without having in his possession, such valid angler's license, as required of him under the provisions of this Act, or any person who fails or refuses on demand of any officer of this State to show such officer the license required of him under Section 3 or Section 4 of this Act, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in a sum not less than ten dollars (\$10) nor more than twenty-five dollars (\$25).

"Sec. 6. For the purpose of this Act the definitions of 'citizen of this State,' 'non-resident,' and 'alien,' shall be the same as contained in Article 920, Penal Code, 1925.

"Sec. 7. All licenses provided for herein shall be procured from the Game, Fish, and Oyster Commission,

or one of its authorized agents, or from a county clerk of this State, and it shall be the duty of the Game, Fish, and Oyster Commission to provide such agents or such county clerk with licenses for issuance. All licenses not otherwise provided for shall be valid until August 31 following date of issuance. Agents of the Game, Fish, and Oyster Commission and county clerks issuing licenses shall be entitled to retain a fee of fifteen cents (15c) for each resident hunting license issued; a fee of three dollars (\$3) for each non-resident hunting license issued; a fee of ten cents (10c) for each resident angler's license issued; a fee of twenty-five cents (25c) for each non-resident angler's license issued, and a fee of ten cents (10c) for each non-resident angler's vacation license issued. It shall be the duty of any officer issuing licenses herein provided for, after deducting the fees to which he is entitled, to remit to the Game, Fish, and Oyster Commission, at its office in Austin, Texas, all other moneys which he has collected from the sale of such licenses, and it shall be the duty of the said Game, Fish, and Oyster Commission to deposit such moneys in the State Treasury of this State to the credit of the Special Game Fund, together with all moneys collected from fines because of violations of this Act. It shall be the duty of any person issuing licenses provided for in this Act to make a monthly report to the Game, Fish, and Oyster Commission on or before the tenth day of each month, giving the name and address of each person to whom a license is issued, not previously reported, and the kind of license issued to such person, the number of same, and with such report to remit the amount due the Game, Fish, and Oyster Commission for all licenses sold.

"Sec. 8. The balances now on hand in the State Treasury to the credit of the Fish Propagation and Protection Fund, the Fish and Oyster Fund, and the Sand, Shell, and Gravel Fund be, and the same are hereby, transferred to the credit of the Special Game Fund. The State Treasurer of the State of Texas is hereby directed to transfer the balances to the credit of these several Funds to the credit of the Special Game Fund, on the effective date of this Act, and all collections made under existing

laws that should be credited to the Fish and Oyster Fund, the Fish Propagation and Protection Fund, and such moneys as may be collected for sand, shell, gravel, or mud shell taken before September 1, 1933, shall, after the effective date of this Act, be credited to the Special Game Fund. The Special Game Fund shall be used by the Game, Fish, and Oyster Commission for all of the purposes provided for by law for the use of such Fund, and for all purposes provided by law for the use of the Sand, Shell, and Gravel Fund, and the Fish and Oyster Fund. The balance on hand in said Special Game Fund on August 31, 1933, together with the current receipts to be derived and placed to the credit of said Fund during the next ensuing two years be, and the same is hereby, appropriated and made available to the Game, Fish, and Oyster Commission for all lawful purposes.

"Sec. 9. All laws or parts of laws, in so far as they may conflict with any provision of this Act be, and the same are hereby, repealed, and Article 904-a, Penal Code, 1925, Chapter 268, page 396, Acts of the Fortieth Legislature, and House Bill No. 836, Acts, Regular Session, Forty-second Legislature, are hereby specifically repealed.

"Sec. 10. This Act shall take effect and be in full force on and after August 31, 1933.

"Sec. 11. The fact that there is no adequate law requiring hunting and fishing licenses, and the fact that fees from such licenses are needed by the State of Texas to conduct the necessary work for the preservation and restoration of the wild life resources of this State, and the fact that the money obtained from the sale of sand, shell, and gravel, a public resource of this State of intimate concern to all of the people of this State, should be of benefit to all of the people of this State, and can be of such benefit only after it is deposited in the State Treasury of this State to the credit of the General Revenue Fund, and the fact that much confusion can be obviated by consolidating other funds of the Game, Fish, and Oyster Commission with the Special Game Fund and, therefore, unifying the purposes of these several Funds, and the crowded condition of the calendar, and the limited time for consideration

of this measure create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted."

Mr. Wells moved the previous question on the pending committee amendment, amendments on the Speaker's desk, and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas—61

| | |
|--------------------|-------------|
| Adamson. | Kayton. |
| Alexander. | Laird. |
| Anderson | Latham. |
| of Bexar. | Lemens. |
| Anderson | Leonard. |
| of Johnson. | Long. |
| Baker. | Mathis. |
| Barron. | McCullough. |
| Bourne. | Mitcham. |
| Cathey. | Moore. |
| Chastain. | Morrison. |
| Clayton. | Morse. |
| Devall. | Patterson. |
| Dunagan. | Ramsey. |
| Dwyer. | Ray. |
| Fisher. | Reader. |
| Fuchs. | Savage. |
| Glass. | Scott. |
| Good. | Shannon. |
| Greathouse. | Shults. |
| Griffith. | Stanfield. |
| Harrison. | Stinson. |
| Head. | Sullivant. |
| Hester. | Tennyson. |
| Hicks. | Thomas. |
| Hill of Webb. | Townsend. |
| Holloway. | Van Zandt. |
| Hunt. | Wagstaff. |
| Hyder. | Walker. |
| Jackson. | Weinert. |
| Jones of Atascosa. | Wells. |
| Jones of Shelby. | |

Nays—47

| | |
|-----------|------------|
| Aikin. | Daniel. |
| Alsup. | Dean. |
| Barrett. | Engelhard. |
| Bedford. | Fain. |
| Burns. | Ford. |
| Butler. | Golson. |
| Calvert. | Goodman. |
| Camp. | Graves. |
| Cowley. | Hankamer. |
| Crossley. | Harris. |

| | |
|---------------------|----------------|
| Hartzog. | Parkhouse. |
| Hodges. | Pope. |
| Hoskins. | Purveyer. |
| Huddleston. | Ratliff. |
| Hughes. | Reed of Bowie. |
| James. | Roberts. |
| Kyle of Hays. | Rollins. |
| Kyle of Palo Pinto. | Smith. |
| Lindsey. | Stovall. |
| Lotief. | Tillery. |
| Mackay. | Vaughan. |
| McDougald. | Winningham. |
| Munson. | Young. |
| Nicholson. | |

Absent

| | |
|-------------------|-----------------|
| Beck. | McKee. |
| Bradley. | Merritt. |
| Caven. | Metcalfe. |
| Coombes. | Moffett. |
| Davidson. | Palmer. |
| Dunlap. | Pavlica. |
| Haag. | Reed of Dallas. |
| Hill of Brazoria. | Renfro. |
| Holekamp. | Riddle. |
| Holland. | Rogers. |
| Jefferson. | of Ochiltree. |
| Johnson. | Ross. |
| of Anderson. | Russell. |
| Jones of Runnels. | Scarborough. |
| Magee. | Steward. |
| McClain. | Turlington. |
| McGregor. | Wood. |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Tarwater. |
| Harman. | West. |

Mr. Lemens moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider prevailed.

Question then recurring on the motion for the main question, it was lost.

Mr. Alsup offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70, page 1, line 36, by striking out the word "squirrel," and inserting in lieu thereof the words "any game animal or any game bird."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—50

| | |
|--------|---------|
| Aikin. | Baker. |
| Alsup. | Barron. |

| | |
|-------------------|----------------|
| Bedford. | Kyle of Hays. |
| Bourne. | Lindsey. |
| Burns. | Lotief. |
| Calvert. | Mackay. |
| Cowley. | McCullough. |
| Daniel. | Mitcham. |
| Devall. | Moffett. |
| Dunagan. | Morrison. |
| Fain. | Munson. |
| Fisher. | Purveyer. |
| Glass. | Ramsey. |
| Goodman. | Ray. |
| Greathouse. | Reed of Bowie. |
| Harrison. | Roberts. |
| Hartzog. | Ross. |
| Hester. | Stanfield. |
| Hicks. | Stovall. |
| Holloway. | Tillery. |
| Huddleston. | Turlington. |
| Hyder. | Vaughan. |
| James. | Wells. |
| Jones of Runnels. | Winningham. |
| Jones of Shelby. | Young. |

Nays—56

| | |
|---------------|---------------------|
| Adamson. | Kayton. |
| Alexander. | Kyle of Palo Pinto. |
| Anderson. | Lemens. |
| of Johnson. | Long. |
| Barrett. | McDougald. |
| Bradley. | Metcalfe. |
| Butler. | Moore. |
| Camp. | Morse. |
| Chastain. | Nicholson. |
| Clayton. | Parkhouse. |
| Coombes. | Patterson. |
| Crossley. | Ratliff. |
| Dean. | Reader. |
| Dwyer. | Renfro. |
| Engelhard. | Rollins. |
| Ford. | Scarborough. |
| Fuchs. | Scott. |
| Golson. | Shults. |
| Good. | Smith. |
| Graves. | Stinson. |
| Haag. | Sullivant. |
| Hankamer. | Tennyson. |
| Harris. | Thomas. |
| Hill of Webb. | Townsend. |
| Hodges. | Van Zandt. |
| Hoskins. | Wagstaff. |
| Hughes. | Walker. |
| Hunt. | Weinert. |
| Jackson. | |

Absent

| | |
|-------------------|--------------------|
| Anderson | Holekamp. |
| of Bexar. | Holland. |
| Beck. | Jefferson. |
| Cathey. | Johnson |
| Caven. | of Anderson. |
| Davidson. | Jones of Atascosa. |
| Dunlap. | Laird. |
| Griffith. | Latham. |
| Head. | Leonard. |
| Hill of Brazoria. | Magee. |

| | |
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| Mathis. | Reed of Dallas. |
| McClain. | Riddle. |
| McGregor. | Rogers |
| McKee. | of Ochiltree. |
| Merritt. | Russell. |
| Palmer. | Savage. |
| Pavlica. | Steward. |
| Pope. | Wood. |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | Tarwater. |
| | West. |

Mr. Hartzog offered the following amendment to the committee amendment:

Amend House Bill No. 70 by striking out Sections 2, 3, 4, 5, 6, 7, and 8, and lines 28, 29, 30, 31, and all of line 32, on page 4, Section 11, down to the word "the" after the word "State."

HARTZOG,
ROBERTS.

The amendment was lost.

Mr. Hartzog offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70 by adding the following to the end of Section 3: "Nor shall any of the provisions of this Act apply to any of the waters of the Gulf of Mexico."

Mr. McKee offered the following substitute for the amendment:

Substitute for amendment to committee amendment to House Bill No. 70, on page 2, by amending Section 3 so as to hereafter read as follows:

"Section 3. Any citizen under the age of 17 years, or of any citizen fishing in the county of his residence, or in any stream bordering the county of his residence, shall not be required, under this Act, to have a license to so fish; provided, that resident angler's license shall not be required of a citizen of Texas who holds a license for commercial fishing under Article 4032, Revised Civil Statutes of Texas, 1925."

The substitute amendment was lost.

Question then recurring on the amendment by Mr. Hartzog, it was lost.

Mr. Hartzog offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70 by inserting, on page 2, Section 3, in line 20, between the word "any" and the word "stream," the following: "Of the waters or tributaries of any gulf, inlet, bay, bayou, lake, or"

The amendment was adopted.

Mr. West offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70 by adding the following at the end of Section 2: "Which said license shall entitle the holder thereof to hunt within the State of Texas until the next succeeding first day of September; provided further, that any non-resident of the State of Texas desiring to hunt within the State of Texas for a shorter period may procure a non-resident hunting license for which he shall pay the sum of \$5, and which such license shall entitle the holder thereof to hunt within the State of Texas for a period of ten consecutive days following the date of such license."

The amendment was lost.

Mr. West offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70 by adding, after the word "squirrel," in line 36, page 1, of the printed bill, the words "or rabbits."

WEST,
HARTZOG.

The amendment was adopted.

Mr. West offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70 by adding the following after the word "dollars," in line 32, page 1, of the printed bill: "And any citizen of the State of Texas desiring to hunt, as herein provided, outside of the county of his residence, shall first procure an out-of-county hunting license for which he shall pay the sum of \$5."

The amendment was lost.

Mr. McKee offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70, on page 1, line 31,

by inserting, after the word "hunting," the words "and fishing."

The amendment was lost.

Mr. Lotief offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70 by striking out, after the word "resides," in line 36, page 1, all the remainder of lines 36 and 37, and by inserting the following: "Or when hunting in the county of his residence."

The amendment was lost.

Mr. Lotief offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70, page 1, line 36, by adding, after the word "squirrels," the following: "doves and quail."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—65

| | |
|-------------|-------------------|
| Adamson. | Hyder. |
| Aikin. | James. |
| Alsup. | Jones of Runnels. |
| Anderson | Jones of Shelby. |
| of Johnson. | Kyle of Hays. |
| Baker. | Latham. |
| Barron. | Lindsey. |
| Bedford. | Lotief. |
| Bourne. | Magee. |
| Burns. | Mackay. |
| Butler. | McClain. |
| Calvert. | McCullough. |
| Caven. | McDougald. |
| Chastain. | Mitcham. |
| Cowley. | Moffett. |
| Daniel. | Morrison. |
| Devall. | Patterson. |
| Dunagan. | Pavlica. |
| Fain. | Pope. |
| Fuchs. | Puryear. |
| Glass. | Ramsey. |
| Good. | Ratliff. |
| Goodman. | Reed of Bowie. |
| Greathouse. | Roberts. |
| Harris. | Ross. |
| Harrison. | Scarborough. |
| Hartzog. | Shults. |
| Hester. | Stinson. |
| Hicks. | Stovall. |
| Hodges. | Turlington. |
| Holland. | Vaughan. |
| Huddleston. | Wood. |
| Hunt. | Young. |

Nays—45

| | |
|------------|--------------------|
| Alexander. | Anderson of Bexar. |
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| | |
|---------------------|-----------------|
| Barrett. | Long. |
| Bradley. | McGregor. |
| Clayton. | McKee. |
| Coombes. | Merritt. |
| Crossley. | Metcalf. |
| Dean. | Moore. |
| Fisher. | Morse. |
| Golson. | Nicholson. |
| Graves. | Parkhouse. |
| Griffith. | Reader. |
| Hankamer. | Reed of Dallas. |
| Head. | Rollins. |
| Hill of Webb. | Russell. |
| Hoskins. | Stanfield. |
| Hughes. | Steward. |
| Jackson. | Sullivan. |
| Jefferson. | Thomas. |
| Jones of Atascosa. | Townsend. |
| Kayton. | Wagstaff. |
| Kyle of Palo Pinto. | Walker. |
| Lemens. | West. |
| Leonard. | |

Present—Not Voting

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| Haag. | Winningham. |
| Weinert. | |

Absent

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|-------------------|---------------|
| Beck. | Mathis. |
| Camp. | Munson. |
| Cathey. | Palmer. |
| Davidson. | Ray. |
| Dunlap. | Renfro. |
| Dwyer. | Riddle. |
| Engelhard. | Rogers |
| Ford. | of Ochiltree. |
| Hill of Brazoria. | Savage. |
| Holekamp. | Scott. |
| Holloway. | Smith. |
| Johnson | Tennyson. |
| of Anderson. | Tillery. |
| Laird. | Van Zandt. |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | Tarwater. |
| | Wells. |

Mr. McGregor offered the following amendment to the committee amendment:

Amend House Bill No. 70, page 2, Section 4, by striking out the words "or alien," in the first line thereof.

The amendment was adopted.

Mr. McGregor offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70, Section 2, line 38, by striking out the words "any alien."

The amendment was adopted.

Mr. Puryear offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70 by striking out Section 3.

PURYEAR,
MITCHAM.

The amendment was lost.

Mr. Hartzog offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70 by inserting the word "fresh" between the word "the" and the word "waters," on page 2, Section 3, line 14; and between the word "the" and the word "waters," on page 2, Section 4, line 26; and between the word "any" and the word "waters," on page 2, Section 5, line 35.

The amendment was adopted.

Mr. Pope offered the following substitute for committee amendment No. 1:

Substitute for committee amendment to House Bill No. 70 by striking out all after the enacting clause, and inserting in lieu thereof the following:

"Section 1. That Article 4016, of the 1925 Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 4016. The office of Game, Fish, and Oyster Commissioner of the State of Texas is hereby created. He shall be appointed by the Governor of this State when this Act becomes a law, and biennially thereafter, and shall have his office in the Capitol, in Austin, Texas. The Game, Fish, and Oyster Commissioner shall have the authority, powers, duties, and functions heretofore vested in the Game, Fish, and Oyster Commission, except where in conflict with this Act.'

"Sec. 2. That Article 4017, of the 1925 Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4017. The Game, Fish, and Oyster Commissioner shall file with the Secretary of State a good and sufficient bond, to be approved by that official, in the sum of ten thousand dollars (\$10,000), with a surety company, conditioned that he

will faithfully perform the duties of his office; the premium on such bond to be paid by appropriation made for same by the Legislature. He shall take the oath prescribed for sheriffs, and when he shall file said bond and take said oath, he shall enter on the duties of his office. Said bond shall not be void on the first recovery, but may be sued on from time to time in the name of the State or any person injured, until the whole amount has been recovered.'

"Sec. 3. That Article 4018, of the 1925 Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4018. The duties of the Commissioner shall be in the execution of the laws relating to game, fish, oysters, and marine life, and marl, sand, and shell, and such further duties as are imposed upon him by law. In the execution of these laws he shall exercise the power and authority given to sheriffs, and is authorized to command the assistance of all peace officers of each county in Texas. The Commissioner is authorized to collect and enforce the payment of all taxes, licenses, fines, and forfeitures, and all money due his department, and to inspect all products so taxed, and to verify the weights and measures thereof; to examine, or have examined, all streams, lakes, or ponds, when requested to do so, for the purpose of stocking such waters with fish best suited to such locations, and he shall superintend and have control in the propagation of fish in the State fish hatchery and the distribution of such fish, and he shall have superintendence and control of the propagation and distribution of birds and game in the State reservations over which he may have control, or which may be established for such propagation. The Commissioner, or any peace officer in any county in Texas, may arrest, without warrant, anyone found violating any of the fish, game, or oyster laws of Texas, and shall have the same right to execute original process as sheriffs.'

"Sec. 4. That Article 4021, of the 1925 Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4021. The Commissioner is authorized to appoint, by and with the approval of the Governor, deputies for each of the vessels owned by the State and employed in the Game, Fish, and Oyster Department. All such deputies shall have and exercise the powers and duties which the Commissioner may require of them in line with the powers and duties of the Commissioner, and shall hold their office at his pleasure. No person shall be such deputy who is not a citizen (of the United States and of this State.) Each such deputy shall make a monthly report to the Commissioner of all funds collected by him, remitting along with said report all moneys collected during the said month."

"Sec. 5. That Article 4023, of the 1925 Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4023. The Commissioner and all game, fish, and oyster deputies and employes of the Game, Fish, and Oyster Department shall be paid their salaries and expenses monthly, as fixed by the Legislature, and shall be paid on vouchers approved by the Governor, showing for what, and when, such amounts have been actually expended. It shall be the duty of the Game, Fish, and Oyster Commissioner to collect all taxes, licenses, and fines, as imposed by law, and enforce their payment, to inspect all products so taxed, and to verify the weights and measures thereof, to collect license fees, to collect all rents on location for planting oysters, to examine, or have examined, all streams, lakes, or ponds, when requested to do so, for the purpose of stocking such waters with fish best suited to such locations, and he shall superintend and have control in the propagation of fish in the State fish hatcheries, and the distribution of such fish, and he shall have superintendence and control of the propagation, protection, and distribution of birds and game in the State and in the State reservations over which he may have control, or which may be established for such propagation. He shall also be allowed his traveling expenses to be paid on vouchers showing that such amounts have actually been expended in the performance of the duties of said office, and he shall be allowed the

necessary office assistants, and not more than three coast deputies, and not more than three inland deputies, approved by the Governor, and all stationery, books, blanks, tags, State laws, and charts necessary to the execution of the duties of his office, and the offices of his deputies."

"Sec. 6. That Article 4024, of the 1925 Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4024. In making arrests, summoning witnesses, and serving process, the Commissioner or his deputies shall be allowed the same fees and mileage as sheriffs, the same to be charged and collected as are sheriffs' fees and deposited in the State Treasury to the credit of the General Revenue."

"Sec. 7. That Article 4025, of the 1925 Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4025. All fines collected for infraction of the game, fish, and oyster laws, and all fees, licenses, rents, collections for sales of sand, marl, or shell, or other materials authorized to be sold by the Game, Fish, and Oyster Department, and other charges so collected, shall be, by such deputies and other peace officers of the State, paid over weekly to the Commissioner, who, in turn, shall deposit the same monthly in the State Treasury to the credit of the General Revenue Fund. The peace officers of the State who may assist in the enforcement of the game, fish, and oyster laws of Texas, or who shall be directed by the Commissioner to assist him in the enforcement of the game, fish, and oyster laws shall receive the fees fixed for such peace officers as now are herein provided by law, and shall retain and account for same as fees of law."

"Sec. 8. That Article 4030, of the 1925 Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4030. All funds collected by the Game, Fish, and Oyster Commissioner from the sale of commercial fishermen's licenses, fish dealers' licenses, taxes on fish, crabs, oysters,

and shrimp, and all other taxed marine life, and all fees, fines, and penalties collected for any infraction of any laws relating to commercial fishermen, except such fees as may be retained by the peace officers earning same, shall be placed in the State Treasury to the credit of the General Revenue Fund.'

"Sec. 9. That Article 4031, of the 1925 Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4031. The applicant for any license, under this Chapter, based upon fish and oysters handled, shall, upon the issuance of such license, deposit with the Commissioner, if required to do so by such officer, an amount of money to be fixed by the Commissioner, in addition to the ten dollars (\$10) required of him as a wholesale dealer, sufficient to cover the estimated amount of tax that would be due by applicant upon monthly business of applicant, and against which deposit the tax due may be charged by the Commissioner, and said applicant shall make additional deposits in sufficient amounts to at all times maintain a deposit sufficient to cover the estimated tax that may be due by applicant, which additional deposit shall be made upon request of the Commissioner.'

"Sec. 10. That Article 4048, of the 1925 Revised Civil Statutes of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4048. Any person who is an American citizen, or any firm or corporation composed of American citizens, desiring to use scrapers or dredges in removing oysters from the natural oyster reefs of this State, shall procure from the Commissioner a license to do so, and such applicant shall pay to the Commissioner a license fee of five dollars (\$5) when using scrapers or hand dredges, and fifteen dollars (\$15) when using power dredges, which license shall be for one year from the date of issuance thereof, and shall obligate the holder to observe all the laws of the State enacted to conserve the marine life of such public waters. Whenever the Commissioner believes that a natural oyster reef, or bed, is too open and exposed to be fished with hand tongs,

and that such reef, or bed, can be improved by the use of dredges, he may grant the use of dredges on such reef, or bed, regardless of the depth of the body of water, or exposure thereof, but only under his supervision and direction, and at the expense of the applicant.'

"Sec. 11. That Article 4049-a, of Vernon's Complete Texas Statutes, be, and the same is hereby, amended to hereafter read as follows:

"Article 4049-a. The Game, Fish, and Oyster Commissioner of this State shall not construct and maintain salt water hatcheries, and propagation farms for fish, oysters, and game, or either of same, on islands owned by the State of Texas, in the coastal waters of the Gulf of Mexico touching this State, unless authorized by the Legislature.'

"Sec. 12. That Section 2, of Article 4049-b, of Vernon's Complete Texas Statutes, Supplement, as amended by the First Called Session of the Forty-first Legislature of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Section 2, Article 4049-b. The condemnation suits brought under the name of the State by the Attorney General in Smith County. All costs in such proceedings shall be paid as in the case of railroad condemnation proceedings.'

"Sec. 13. That Article 4053-d, of Vernon's Complete Texas Statutes, being Section 1, of Chapter 183, of the General Laws of the Thirty-ninth Legislature of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4053-d. The Game, Fish, and Oyster Commissioner, by and with the approval of the Governor, may sell the marl, gravel, sand, shell, or mud shell included within this Act, upon such terms and conditions as he may deem proper, but for not less than four cents (4c) per ton, and payment therefor shall be made to said Commissioner. The proceeds arising from such sale shall be transmitted to the State Treasury and be credited to the General Revenue Fund. And also providing that the authorization of refunds on sand, gravel, and shell shall be extended to include refunds to the State Highway Commission of money paid the State through the

Game, Fish, and Oyster Commissioner for sand, gravel, and shell used by the State Highway Commission on public roads upon application for such refunds in the manner prescribed for cities and counties.'

"Sec. 14. That Article 4056-a, of Vernon's Complete Texas Statutes, Supplement, being Section 1, of the General Laws, First Called Session, Forty-first Legislature of the State of Texas, be, and the same is hereby, amended to hereafter read as follows:

"Article 4056-a. The Game, Fish, and Oyster Commissioner is hereby authorized to lease the south 216.4 acres, more or less, of Brazos Island for the sole purpose of erecting and maintaining hunting, fishing, and bathing resorts thereon. Leases of such lands shall, at the discretion of the Commissioner, run for any term of years not more than ten, at a fixed annual rental of not less than 10 cents nor more than 50 cents per acre, at the discretion of the Commissioner, for each acre of land so leased, and before entering into any such lease, the Commissioner, in his discretion, may require such survey of the leased premises to be made at the expense of the applicant therefor, as may be necessary to determine the exact acreage of the lease. Lessees, shall have, during the term of their respective leases, the exclusive right to the use, occupation, and enjoyment of such leased premises during the term and for the purposes of such leases only, but such use shall not be inconsistent with any other use of such leased premises as shall have been, or may be, granted by law, or authority of law. All leases shall provide that the annual rentals therefor shall be paid to the Commissioner, annually, in advance; and failure to pay any installment of annual rental therefor, when due, shall, at the option of the Commissioner, forfeit such lease. Lessees, under terms of this Article, shall have the right to remove from the leased premises, within one month after the termination of the lease, any and all improvements erected thereon by them. All rentals collected by the Commissioner under the provisions of this Act shall be placed in the State Treasury to the credit of the General Revenue Fund.'

"Sec. 15. The Game, Fish, and Oyster Commissioner is hereby directed to advertise for sale, as pro-

vided for sale of property by the Board of Control, and sell and convey, with the approval of the Governor, all property, real and personal, now used by the Game, Fish, and Oyster Commission, and not necessary under the provisions of this Act, for the use by said Commissioner. When this Act takes effect, said Commissioner shall make a written inventory, showing the kind and location, and shall file the same with the State Auditor, of all property, real and personal, bought, used, or paid for by the Game, Fish, and Oyster Commission, and all funds now belonging to the Fish and Oyster Fund, or Sand, Shell, or Fish Hatchery Fund, now or heretofore in the name of any special fund, or under the control of the Game, Fish, and Oyster Commission, or under the control of any of its agents or employes, are hereby transferred to the State Treasury to be placed to the credit of the General Revenue Fund.

"Sec. 16. Should any section, article, provisions, or parts of this Act be declared to be unconstitutional and void by a court of competent jurisdiction, such decision shall in no way affect the validity of anything indispensable to the remaining parts. The Legislature hereby declares that it would have passed those remaining parts of this Act which may be constitutional if it had known that some parts were unconstitutional at the time of the passage of this Act.

"Sec. 17. This Act shall be so interpreted and construed as to effectuate its general purpose. All existing statutes covering the matters embraced in this Act are hereby repealed, and all Acts and parts of Acts, now in effect, which are inconsistent with the provisions of this Act, are hereby repealed.

"Sec. 18. The depleted condition of the State Treasury creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule, requiring bills to be read on three several days in each House, and the said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

Mr. Burns raised a point of order on further consideration of the amendment by Mr. Pope, on the ground that it violates the provision

of the Constitution by changing the subject of the bill.

The Speaker overruled the point of order.

Question recurring on the substitute amendment by Mr. Pope, it was lost.

The committee amendment was then adopted by the following vote:

Yeas—76

| | |
|---------------------|-----------------|
| Adamson. | Leonard. |
| Aikin. | Long. |
| Alexander. | McGregor. |
| Anderson | Merritt. |
| of Bexar. | Metcalfe. |
| Anderson | Moffett. |
| of Johnson. | Moore. |
| Barrett. | Morrison. |
| Barron. | Morse. |
| Bradley. | Munson. |
| Camp. | Nicholson. |
| Clayton. | Palmer. |
| Coombes. | Parkhouse. |
| Crossley. | Patterson. |
| Davidson. | Ratliff. |
| Devall. | Ray. |
| Dwyer. | Reader. |
| Engelhard. | Reed of Dallas. |
| Fisher. | Riddle. |
| Ford. | Rogers |
| Fuchs. | of Ochiltree. |
| Golson. | Rollins. |
| Graves. | Russell. |
| Griffith. | Savage. |
| Haag. | Scarborough. |
| Hankamer. | Shannon. |
| Head. | Shults. |
| Hester. | Stanfield. |
| Hill of Webb. | Steward. |
| Holekamp. | Stinson. |
| Holland. | Tennyson. |
| Hoskins. | Thomas. |
| Hughes. | Townsend. |
| Jackson. | Van Zandt. |
| James. | Wagstaff. |
| Jefferson. | Walker. |
| Kayton. | Weinert. |
| Kyle of Palo Pinto. | West. |
| Laird. | Wood. |
| Lemens. | |

Nays—43

| | |
|-----------|-------------------|
| Alsup. | Goodman. |
| Baker. | Harris. |
| Bedford. | Harrison. |
| Bourne. | Hartzog. |
| Burns. | Hodges. |
| Calvert. | Huddleston. |
| Cathey. | Hunt. |
| Chastain. | Hyder. |
| Cowley. | Jones of Runnels. |
| Daniel. | Kyle of Hays. |
| Dunagan. | Lindsey. |
| Fain. | Lotief. |
| Glass. | Magee. |

| | |
|-------------|----------------|
| Mackay. | Reed of Bowie. |
| McClain. | Roberts. |
| McCullough. | Ross. |
| McKee. | Stovall. |
| Mitcham. | Turlington. |
| Pavlica. | Vaughan. |
| Pope. | Wells. |
| Puryear. | Young. |
| Ramsey. | |

Present—Not Voting

Winningham.

Absent

| | |
|-------------------|--------------------|
| Beck. | Jones of Atascosa. |
| Butler. | Jones of Shelby. |
| Caven. | Latham. |
| Dean. | Mathis. |
| Dunlap. | McDougald. |
| Good. | Renfro. |
| Greathouse. | Scott. |
| Hicks. | Smith. |
| Hill of Brazoria. | Sullivant. |
| Holloway. | Tillery. |
| Johnson | |
| of Anderson. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Tarwater. |
| Harman. | |

Mr. Lemens offered the following committee amendment to the bill:

Amend House Bill No. 70 by striking out all above the enacting clause, and inserting in lieu thereof the following:

"H. B. No. 70,

A BILL

To Be Entitled

An Act providing for deposit in the State Treasury to the credit of the General Revenue Fund all moneys collected from sand, shell, gravel, mud shell, or marl that is the property of the State, as defined in Article 4051, Revised Civil Statutes; amending Article 904, Penal Code, 1925; providing for resident hunting licenses and non-resident hunting licenses, and who is required to obtain same; fixing the fee to be paid for such licenses and the fee to be retained by the officer issuing such licenses; providing a penalty for hunting without the required license; providing a resident angler's license, a non-resident angler's license, and a non-resident angler's

vacation license, and who is required to obtain same; fixing the fees to be paid for such licenses and the fees to be retained by the officer issuing same; providing a penalty for fishing without the required license; providing for remittance of license fees and fines to the Game, Fish, and Oyster Commission for deposit in the State Treasury to the credit of the Special Game Fund; providing for the transfer of balances on hand in certain funds to the Special Game Fund, and providing for the use and appropriation of the Special Game Fund to the Game, Fish, and Oyster Commission, for the purposes provided by law; repealing all conflicting laws, and declaring an emergency."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 70 was then passed to engrossment by the following vote:

Yeas—69

| | |
|---------------|---------------------|
| Adamson. | Jefferson. |
| Aikin. | Kayton. |
| Alexander. | Kyle of Palo Pinto. |
| Anderson | Leonard. |
| of Bexar. | Long. |
| Anderson | McGregor. |
| of Johnson. | Merritt. |
| Barrett. | Metcalfe. |
| Bradley. | Moffett. |
| Camp. | Moore. |
| Caven. | Morrison. |
| Clayton. | Morse. |
| Coombes. | Nicholson. |
| Crossley | Palmer. |
| Davidson. | Parkhouse. |
| Dunlap. | Patterson. |
| Dwyer. | Pope. |
| Engelhard. | Reader. |
| Fisher. | Reed of Dallas. |
| Fuchs. | Rogers |
| Golson. | of Ochiltree. |
| Graves. | Rollins. |
| Griffith. | Russell. |
| Haag. | Savage. |
| Hankamer. | Scarborough. |
| Hester. | Shannon. |
| Hill of Webb. | Shults. |
| Hodges. | Stanfield. |
| Holekamp. | Steward. |
| Holland. | Stinson. |
| Hoskins. | Tennyson |
| Hughes. | Thomas. |
| Jackson. | Townsend. |

Van Zandt.
Wagstaff.
Walker.

Weinert.
West.
Wood.

Nays—55

| | |
|-------------------|----------------|
| Alsup. | Kyle of Hays. |
| Baker. | Laird. |
| Barron. | Latham. |
| Bedford. | Lotief. |
| Bourne. | Magee. |
| Burns. | Mackay |
| Calvert. | McClain. |
| Cathey. | McCullough. |
| Chastain. | McDougald. |
| Cowley. | McKee. |
| Daniel | Mitcham. |
| Devall. | Munson. |
| Dunagan. | Pavlica. |
| Fain. | Puryear. |
| Ford. | Ramsey. |
| Glass. | Ratliff. |
| Goodman. | Ray. |
| Greathouse. | Reed of Bowie. |
| Harris. | Riddle. |
| Harrison. | Roberts. |
| Hartzog. | Ross. |
| Head | Stovall. |
| Hicks. | Tillery. |
| Huddleston. | Turlington. |
| Hunt. | Vaughan. |
| Hyder. | Wells. |
| James. | Young. |
| Jones of Runnels. | |

Present—Not Voting

Beck. Winningham.

Absent

| | |
|--------------------|------------------|
| Butler. | Jones of Shelby. |
| Dean. | Lemens. |
| Good. | Lindsey. |
| Hill of Brazoria. | Mathis. |
| Holloway. | Renfro. |
| Johnson | Scott. |
| of Anderson. | Smith. |
| Jones of Atascosa. | Sullivant. |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Tarwater. |
| Harman. | |

Mr. Pope moved to reconsider the vote by which the bill was passed to engrossment.

Mr. Kayton moved to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE

My reason for voting against House Bill No. 70 is because of the fact that

I do not favor any measure that would deprive the people of this State from enjoying its recreational advantages at excessive cost and unreasonable restrictions, and I believe that a \$2 fee is ample for a combined hunting and fishing license. **McKEE.**

(Speaker in the Chair.)

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 139, "An Act to amend Articles 6229, 6230, 6231, 6232, 6233, 6234, 6235, 6236, 6237, 6238, 6239, 6240, 6241, 6242, and 6243, Title 109, Chapter 2, of the Revised Civil Statutes of 1925, providing pension fund for employes of cities and towns over ten thousand (10,000) inhabitants in the State of Texas, and declaring an emergency."

H. B. No. 878, "An Act amending Section 1, of Chapter 58, of the General Laws of the Forty-second Legislature, Regular Session, re-defining 'marginal wells,' and declaring an emergency."

COMMENDING HON. MILTON H. WEST

Mr. Morse offered the following resolution:

Whereas, The burnished star of American Democracy has been endowed with a deeper luster and has become more prominent in the dawning horizon of a new order of government by the election of a distinguished Democrat and son of Texas to the Congress of these United States; and

Whereas, The Imperial Empire of the South has contributed to the National organization of a Democratic President a new bulwark of strength by the election of one of its most noble sons to the House of Representatives; and

Whereas, The hour is at hand when this scholar and gentleman must accept the responsibilities attendant upon that office to which he has been chosen by the popular acclaim of a grateful people, surrendering this position in the Texas Legislature, and one which can never comparably be filled; and

Whereas, The State of Texas and his associates in the House of Representatives hold this disciple of democracy in high esteem and confidence, believing in his ability and trusting in his political wisdom to guide to safety and security the National Ship of State; now, therefore, be it

Resolved by the House of Representatives of the Forty-third Legislature, That it express to Hon. Milton H. West, of Cameron County, its sincere confidence in his Democratic principles and in his ability to lend a strengthening hand to an already progressive government; and, be it further

Resolved, That it express to him the grateful appreciation of his associates for his valuable contributions to the greater welfare of the Government of this State and for his further interest in and labors to promote the common weal; and, be it further

Resolved, That as he assumes his obligations in the administration of our National affairs, we bid him God speed, and assure him of the untiring co-operation of this organization; and, be it further

Resolved, That when this House stands adjourned on this day, that it be in memory of the services of Hon. Milton H. West and as a silent tribute to his unselfish loyalty to his Party and his State, and may Almighty God direct his labors and his ideals in the House of Representatives of the Congress of the United States of America.

**MORSE,
ANDERSON of Johnson,
WINNINGHAM,
MOORE,
LONG,
PATTERSON,
SAVAGE.**

The resolution was read second time.

On motion of Mr. Metcalfe, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson of Bexar, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Ford, Fuchs, Glass,

Golson, Good, Goodman, Graves, Greathouse, Griffith, Haag, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McGregor, McKee, Merritt, Metcalfe, Mitcham, Moffett, Morrison, Munson, Nicholson, Palmer, Parkhouse, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Sullivant, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Wood, Young.

The resolution was then adopted.

CHANGE IN CONFERENCE COMMITTEE ANNOUNCED

Mr. Stanfield was named as a member of the conference committee on House Bill No. 231, instead of Mr. Canon, resigned.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. J. R. No. 1, Proposing an amendment to Section 9, of Article VIII, of the Constitution of the State of Texas.

Providing that for all years after 1934 the State tax on property, exclusive of the tax necessary to pay the public debt and the taxes provided for the benefit of public free schools, and of taxes for the Confederate Pension, shall never exceed 15 cents on the \$100 valuation, and providing for municipal taxation as is now provided in Section 9, of Article VIII, of the Constitution of the State of Texas.

The Senate has concurred in House amendments to Senate Bill No. 139 by the following vote: Yeas, 23; nays, 1.

The Senate has passed

S. B. No. 529, A bill to be entitled "An Act amending Section 1, of Chapter 114, of the Local and Special Laws of the State of Texas, passed by the Thirty-ninth Legislature, at its Regular Session, and providing for the validating of assessments of taxes heretofore levied and assessed on territory within the boundaries of the Markham Independent School District, in Matagorda County, Texas, as set out in the original bill; and declaring an emergency."

S. B. No. 50, A bill to be entitled "An Act to amend Articles 6050, 6058, 6059, as amended, 6060, as amended, 6066, as amended, Revised Civil Statutes of Texas, 1925, and by adding Articles 6058-a and 6058-b, so as to more clearly define 'gas utility,' and to prohibit the raising of domestic and commercial rates in unincorporated towns and in incorporated towns of less than 500 population, and of rural subscribers without notice and hearing; to authorize the Railroad Commission, under certain conditions, to aid cities of 10,000 population, or more, in making an appraisal of the properties and an audit of the accounts of the gas utility, or gas utilities, serving such cities; to provide for the necessary funds and organization in carrying out the provisions of this Act; and declaring an emergency."

S. B. No. 274, A bill to be entitled "An Act regulating petitions in suits for divorce to require such petitions to state whether there are children under 16 years of age, and if so, to give full information as to such minors, making it the duty of the courts having jurisdiction of such suits to inquire into the status of such children, if divorce be granted; to ascertain the ability to pay, to enforce the duty of a father to support his children after divorce, presenting the procedure; and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS AND JOINT RESOLUTION ON FIRST READING

The following Senate bills and joint resolution, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 4, to the Committee on Insurance.

Senate Bill No. 5, to the Committee on Banks and Banking.

Senate Bill No. 56, to the Committee on Judiciary.

Senate Bill No. 77, to the Committee on Judiciary.

Senate Bill No. 137, to the Committee on State Affairs.

Senate Bill No. 148, to the Committee on Municipal and Private Corporations.

Senate Bill No. 170, to the Committee on Highways and Motor Traffic.

Senate Bill No. 171, to the Committee on State Affairs.

Senate Bill No. 220, to the Committee on Counties.

Senate Bill No. 242, to the Committee on Appropriations.

Senate Bill No. 275, to the Committee on Game and Fisheries.

Senate Bill No. 44, to the Committee on Insurance.

Senate Bill No. 319, to the Committee on Revenue and Taxation.

Senate Bill No. 337, to the Committee on Highways and Motor Traffic.

Senate Bill No. 359, to the Committee on Judiciary.

Senate Bill No. 360, to the Committee on Judiciary.

Senate Bill No. 380, to the Committee on State Affairs.

Senate Bill No. 417, to the Committee on Judiciary.

Senate Bill No. 429, to the Committee on Labor.

Senate Bill No. 461, to the Committee on Counties.

Senate Bill No. 491, to the Committee on State Affairs.

Senate Bill No. 492, to the Committee on Insurance.

Senate Bill No. 526, to the Committee on Banks and Banking.

Senate Bill No. 493, to the Committee on Criminal Jurisprudence.

Senate Joint Resolution No. 3, to the Committee on Constitutional Amendments.

HOUSE BILL NO. 213 ON THIRD READING

On motion of Mr. Harrison, the regular order of business was suspended, to take up, and have placed on its third reading and final passage,

H. B. No. 213, A bill to be entitled "An Act providing that the administrative control of the State of Texas over all matters pertaining to the production, transportation by pipe line, and storage of crude oil petroleum, and the production, transportation, and regulation of rates and charges for distributing, buying, selling, and delivering natural gas be vested in the Natural Resource Commission of the State of Texas; creating said Natural Resource Commission of the State of Texas to consist of three persons, etc., and declaring an emergency."

The bill was read third time.

Mr. Morse moved the previous question on the pending amendments on the Speaker's desk, and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas—72

| | |
|---------------|---------------------|
| Alexander. | Hughes. |
| Alsup. | Jackson. |
| Anderson | Jones of Atascosa. |
| of Bexar. | Jones of Shelby. |
| Barron. | Kyle of Hays. |
| Bourne. | Kyle of Palo Pinto. |
| Bradley. | Laird. |
| Calvert. | Latham. |
| Cathey. | Long. |
| Clayton. | Lotief. |
| Crossley. | Mackay. |
| Devall. | Mathis. |
| Dunagan. | McClain. |
| Dwyer. | McCullough. |
| Fisher. | McDougald. |
| Ford. | McGregor. |
| Fuchs. | McKee. |
| Glass. | Merritt. |
| Good. | Moffett. |
| Griffith. | Moore. |
| Haag. | Morrison. |
| Harris. | Morse. |
| Harrison. | Nicholson. |
| Head. | Parkhouse. |
| Hester. | Pavlica. |
| Hill of Webb. | Ramsey. |
| Hodges. | Reader. |
| Holekamp. | Renfro. |
| Holloway. | Riddle. |

| | |
|-----------|-------------|
| Russell. | Turlington. |
| Shults. | Wagstaff. |
| Steward. | Walker. |
| Stinson. | Weinert. |
| Tennyson. | Wells. |
| Thomas. | Winningham. |
| Tillery. | Young. |
| Townsend. | |

Nays—56

| | |
|-------------|-------------------|
| Adamson. | Jefferson. |
| Aikin. | Jones of Runnels. |
| Anderson | Leonard. |
| of Johnson. | Lindsey. |
| Baker. | Magee. |
| Barrett. | Metcalf. |
| Beck. | Mitcham. |
| Bedford. | Munson. |
| Burns. | Palmer. |
| Butler. | Patterson. |
| Camp. | Pope. |
| Caven. | Puryear. |
| Chastain. | Ratliff. |
| Coombes. | Ray. |
| Cowley. | Reed of Bowie. |
| Daniel. | Reed of Dallas. |
| Dean. | Roberts. |
| Fain. | Rogers |
| Golson. | of Ochiltree. |
| Goodman. | Rollins. |
| Graves. | Ross. |
| Greathouse. | Savage. |
| Hankamer. | Scarborough. |
| Hicks. | Shannon. |
| Hoskins. | Stanfield. |
| Huddleston. | Stovall. |
| Hunt. | Sullivant. |
| Hyder. | Vaughan. |
| James. | Wood. |

Absent

| | |
|-------------------|--------------|
| Davidson. | Johnson |
| Dunlap. | of Anderson. |
| Engelhard. | Kayton. |
| Hartzog. | Lemens. |
| Hill of Brazoria. | Scott. |
| Holland. | Smith. |
| | Van Zandt. |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Tarwater |
| Harman. | West. |

Mr. Haag offered the following amendment to the bill:

Amend House Bill No. 213, as engrossed, by inserting in line 3, Section 3, page 10, after the word "appointment," the following words: "or election," and omitting the period after the word "appointment."

The amendment was adopted.

Mr. Haag offered the following amendment to the bill:

Amend House Bill No. 213, as engrossed, by inserting in line 1, Section 3, page 10, after the word "appointed," the following words: "or elected."

The amendment was adopted.

Mr. Haag offered the following amendment to the bill:

Amend House Bill No. 213, as engrossed, by inserting in line 24, page 18, after the word "time," the following: "not less than six months and"

The amendment was adopted.

Mr. Haag offered the following amendment to the bill:

Amend House Bill No. 213, as engrossed, by inserting after the word "not," in line 5, page 22, and also after the word "not," in line 25, page 22, the following: "less than six months nor"

The amendment was adopted.

Mr. Haag offered the following amendment to the bill:

Amend House Bill No. 213, as engrossed, by striking out lines 6, 7, and 8, of Section 12, page 14, thereof, and substituting in lieu thereof the following: "to the Comptroller of the State of Texas, and shall by him be paid to the State Treasurer of Texas and placed to the credit of the General Fund of the State."

The amendment was adopted.

Mr. Haag offered the following amendment to the bill:

Amend House Bill No. 213, as engrossed, by striking out that part of line 22, page 17, beginning with the word "on," and striking out lines 23 to 27, inclusive, page 17, and line 1, and the remainder of the sentence of line 2, page 18, and inserting in lieu thereof the following: "Provided, that when the market price of oil is in excess of \$1 per barrel the tax shall be 3 per cent of the market price thereof."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—76

| | |
|------------|----------|
| Alexander. | Baker. |
| Alsop. | Barron. |
| Anderson | Bourne. |
| of Bexar. | Bradley. |

| | |
|---------------------|-----------------|
| Butler. | Lotief. |
| Cathey. | Mackay. |
| Clayton. | Mathis. |
| Crossley. | McClain. |
| Devall. | McCullough. |
| Dunagan. | McDougald. |
| Dwyer. | Merritt. |
| Ford. | Metcalfe. |
| Fuchs. | Mitcham. |
| Glass. | Moffett. |
| Golson. | Moore. |
| Graves. | Morrison. |
| Greathouse. | Morse. |
| Griffith. | Nicholson. |
| Haag. | Parkhouse. |
| Harris. | Patterson. |
| Harrison. | Pavlica. |
| Hartzog. | Ramsey. |
| Head. | Ratliff. |
| Hester. | Reed of Dallas. |
| Hill of Webb. | Riddle. |
| Holekamp. | Ross. |
| Holland. | Russell. |
| Holloway. | Shults. |
| Huddleston. | Steward. |
| Jackson. | Stinson. |
| Jones of Atascosa. | Tennyson. |
| Jones of Shelby. | Tillery. |
| Kayton. | Turlington. |
| Kyle of Hays. | Wagstaff. |
| Kyle of Palo Pinto. | Walker. |
| Latham. | Weinert. |
| Leonard. | Wells. |
| Lindsey. | Young. |
| Long. | |

Nays—50

| | |
|-------------|-------------------|
| Adamson. | Jones of Runnels. |
| Aikin. | Laird. |
| Anderson | Magee. |
| of Johnson. | McGregor. |
| Barrett. | Munson. |
| Beck. | Palmer. |
| Bedford. | Puryear. |
| Burns. | Ray. |
| Calvert. | Reader. |
| Camp. | Reed of Bowie. |
| Caven. | Roberts. |
| Chastain. | Rogers |
| Coombes. | of Ochiltree. |
| Cowley. | Rollins. |
| Daniel. | Scarborough. |
| Davidson. | Scott. |
| Fain. | Stanfield. |
| Goodman. | Stovall. |
| Hankamer. | Sullivant. |
| Hicks. | Tarwater. |
| Hodges. | Thomas. |
| Hoskins. | Townsend. |
| Hughes. | Van Zandt. |
| Hunt. | Vaughan. |
| Hyder. | Winningham. |
| James. | Wood. |

Present—Not Voting

Dean.

Absent

| | |
|-------------------|---------|
| Dunlap. | Lemens. |
| Engelhard. | McKee. |
| Fisher. | Pope. |
| Good. | Renfro. |
| Hill of Brazoria. | Savage. |
| Jefferson. | Smith. |
| Johnson | |
| of Anderson. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | West. |

Mr. Hartzog offered the following amendment to the bill:

Amend House Bill No. 213 by inserting on page 4, line 3, between the word "barrel" and the word "provided," the following: "Provided, however, only the flat two (2) cent tax per barrel shall apply to any well over five thousand (5,000) feet deep, or to any well where the subsurface conditions are such that to restrict production below one hundred and fifty (150) barrels per day would injure, impair, or destroy said well; which fact shall be determined by the Natural Resource Commission of the State of Texas, after a proper hearing and investigation."

HARTZOG,
ROBERTS,
YOUNG.

Question recurring on the amendment, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 84; nays, 43.

Mr. Morse called for a verification of the vote.

The roll of the yeas and nays was then called, and the verified vote announced as follows:

Yeas—83

| | |
|------------|-----------|
| Alexander. | Clayton. |
| Alsup. | Crossley. |
| Anderson | Davidson. |
| of Bexar. | Dean. |
| Baker. | Devall. |
| Barrett. | Dunagan. |
| Barron. | Dwyer. |
| Bedford. | Fisher. |
| Bourne. | Ford. |
| Bradley. | Fuchs. |
| Butler. | Glass. |
| Cathey. | Good. |

| | |
|---------------------|-------------|
| Greathouse. | Mitcham. |
| Griffith. | Morrison. |
| Haag. | Morse. |
| Harrison. | Munson. |
| Head. | Nicholson. |
| Hester. | Patterson. |
| Hill of Webb. | Pavlica. |
| Holekamp. | Ramsey. |
| Holland. | Ratliff. |
| Holloway. | Reader. |
| Hoskins. | Renfro. |
| Huddleston. | Riddle. |
| Jackson. | Roberts. |
| Jones of Runnels. | Ross. |
| Jones of Shelby. | Russell. |
| Kayton. | Shults. |
| Kyle of Hays. | Steward. |
| Kyle of Palo Pinto. | Stinson. |
| Latham. | Tennyson. |
| Lindsey. | Thomas. |
| Long. | Tillery. |
| Mackay. | Townsend. |
| Mathis. | Turlington. |
| McClain. | Wagstaff. |
| McCullough. | Walker. |
| McDougald. | Weinert. |
| McGregor. | Wells. |
| McKee. | West. |
| Merritt. | Winningham. |
| Metcalfe. | Young. |

Nays—42

| | |
|-------------|----------------|
| Adamson. | James. |
| Aikin. | Jefferson. |
| Anderson | Lotief. |
| of Johnson. | Magee. |
| Beck. | Moffett. |
| Burns. | Palmer. |
| Calvert. | Puryear. |
| Camp. | Ray. |
| Caven. | Reed of Bowie. |
| Chastain. | Rogers |
| Coombes. | of Ochiltree. |
| Daniel. | Rollins. |
| Fain. | Savage. |
| Golson. | Scarborough. |
| Goodman. | Scott. |
| Graves. | Stanfield. |
| Hankamer. | Stovall. |
| Harris. | Sullivan. |
| Hicks. | Tarwater. |
| Hughes. | Van Zandt. |
| Hunt. | Vaughan. |
| Hyder. | Wood. |

Absent

| | |
|--------------------|-----------------|
| Cowley. | Laird. |
| Dunlap. | Lemens. |
| Engelhard. | Leonard. |
| Hartzog. | Moore. |
| Hill of Brazoria. | Parkhouse. |
| Hodges. | Pope. |
| Johnson | Reed of Dallas. |
| of Anderson. | Smith. |
| Jones of Atascosa. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | |

The Speaker announced that the amendment was lost (not receiving the necessary two-thirds vote).

Mr. Reed of Dallas offered the following amendment to the bill:

Amend House Bill No. 213 by striking out all of Subdivision 6, of Section 16-a, thereof.

The amendment was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—61

| | |
|---------------------|-----------------|
| Alsup. | Long. |
| Baker. | Lotief. |
| Barron. | Mathis. |
| Bradley. | Moffett. |
| Butler. | Morse. |
| Calvert. | Munson. |
| Cathey. | Palmer. |
| Coombes. | Patterson. |
| Davidson. | Pavlica. |
| Devall. | Ramsey. |
| Dunagan. | Ratliff. |
| Dwyer. | Ray. |
| Fisher. | Reed of Dallas. |
| Ford. | Renfro. |
| Fuchs. | Ross. |
| Glass. | Russell. |
| Good. | Scott. |
| Griffith. | Shannon. |
| Haag. | Steward. |
| Harrison. | Stinson. |
| Head. | Tennyson. |
| Hester. | Tillery. |
| Hill of Webb. | Townsend. |
| Holekamp. | Turlington. |
| Holland. | Wagstaff. |
| Holloway. | Walker. |
| Huddleston. | Weinert. |
| Jones of Shelby. | Wells. |
| Kayton. | Winningham. |
| Kyle of Palo Pinto. | Wood. |
| Latham. | |

Nays—55

| | |
|-----------|-------------|
| Adamson. | Cowley. |
| Aikin. | Daniel. |
| Barrett. | Fain. |
| Beck. | Golson. |
| Bedford. | Goodman. |
| Bourne. | Graves. |
| Burns. | Greathouse. |
| Camp. | Hankamer. |
| Caven. | Hicks. |
| Chastain. | Hodges. |
| Clayton. | Hoskins. |

| | |
|-------------------|----------------|
| Hughes. | Nicholson. |
| Hunt. | Puryear. |
| Hyder. | Reader. |
| James. | Reed of Bowie. |
| Jefferson. | Roberts. |
| Jones of Runnels. | Rogers |
| Kyle of Hays. | of Ochiltree. |
| Leonard. | Rollins. |
| Lindsey. | Savage. |
| Mackay. | Scarborough. |
| Magee. | Shults. |
| McClain. | Stanfield. |
| McDougald. | Stovall. |
| McGregor. | Tarwater. |
| Merritt. | Thomas. |
| Metcalfe. | Van Zandt. |
| Morrison. | Vaughan. |

Absent

| | |
|-------------------|--------------------|
| Alexander. | Jones of Atascosa. |
| Anderson | Laird. |
| of Bexar. | Lemens. |
| Anderson | McCullough. |
| of Johnson. | McKee. |
| Crossley. | Mitcham. |
| Dean. | Moore. |
| Dunlap. | Parkhouse. |
| Engelhard. | Pope. |
| Harris. | Riddle. |
| Hartzog. | Smith. |
| Hill of Brazoria. | Sullivant. |
| Jackson. | Young. |
| Johnson | |
| of Anderson. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | West. |
| Harman. | |

Mr. Burns offered the following amendment to the bill:

Amend House Bill No. 213 by adding to Section 16-a, after Subsection 2 thereof, another subsection, to be numbered properly, and to read as follows:

"Subsection 2-a. Each person, firm, co-partnership, association of persons, or corporations owning, operating, managing, or controlling any pipe line in this State, engaged in gathering and/or transporting oil, shall, on or before the fifteenth of each calendar month, make and file with the Comptroller of this State a written report, under oath, showing the number of net barrels of oil actually received into its pipe lines during the preceding calendar month, and shall show the number of bar-

rels of oil for which run tickets were issued in said calendar month, and shall, at the same time, pay to the Comptroller an occupation tax on the number of barrels difference in the amount of barrels shown to have been received and the amount of barrels shown to have been credited on run tickets, which said tax shall be for the preceding calendar month, and shall be in the sum of fifty (50) cents per barrel."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—91

| | |
|-------------|-------------------|
| Adamson. | Jefferson. |
| Aikin. | Jones of Runnels. |
| Alexander. | Jones of Shelby. |
| Alsup. | Kyle of Hays. |
| Anderson | Laird. |
| of Johnson. | Latham. |
| Baker. | Leonard. |
| Barrett. | Lindsey. |
| Barron. | Long. |
| Beck. | Lotief. |
| Bedford. | Magee. |
| Bourne. | McClain. |
| Bradley. | McCullough. |
| Burns. | McKee. |
| Calvert. | Merritt. |
| Camp. | Metcalfe. |
| Cathey. | Mitcham. |
| Caven. | Morrison. |
| Chastain. | Munson. |
| Cowley. | Palmer. |
| Daniel. | Pavlica. |
| Davidson. | Puryear. |
| Dean. | Ramsey. |
| Devall. | Ratliff. |
| Dunagan. | Reader. |
| Fain. | Reed of Bowie. |
| Fisher. | Roberts. |
| Ford. | Rollins. |
| Fuchs. | Savage. |
| Glass. | Scarborough. |
| Golson. | Scott. |
| Good. | Shults. |
| Goodman. | Stanfield. |
| Greathouse. | Stinson. |
| Griffith. | Stovall. |
| Hankamer. | Sullivant. |
| Harris. | Tarwater. |
| Hartzog. | Tennyson. |
| Head. | Thomas. |
| Hester. | Townsend. |
| Hodges. | Van Zandt. |
| Hoskins. | Vaughan. |
| Hughes. | Walker. |
| Hunt. | Wells. |
| Hyder. | Winningham. |
| James. | Wood. |

Nays—32

| | |
|---------------------|-------------|
| Anderson | McGregor. |
| of Bexar. | Morse. |
| Butler. | Nicholson. |
| Clayton. | Patterson. |
| Dwyer. | Ray. |
| Haag. | Renfro. |
| Hill of Webb. | Ross. |
| Holekamp. | Russell. |
| Holland. | Shannon. |
| Holloway. | Steward. |
| Huddleston. | Tillery. |
| Jackson. | Turlington. |
| Kayton. | Wagstaff. |
| Kyle of Palo Pinto. | Weinert. |
| Mackay. | West. |
| Mathis. | Young. |
| McDougald. | |

Present—Not Voting

Moffett.

Absent

| | |
|-------------------|--------------------|
| Coombes. | Jones of Atascosa. |
| Crossley. | Lemens. |
| Dunlap. | Moore. |
| Engelhard. | Parkhouse. |
| Graves. | Pope. |
| Harrison. | Reed of Dallas. |
| Hicks. | Riddle. |
| Hill of Brazoria. | Rogers |
| Johnson | of Ochiltree. |
| of Anderson. | Smith. |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Harman. |
| Colson. | Johnson |
| Duvall. | of Dimmit. |
| Few. | Rogers of Hunt. |

Mr. Pope offered the following amendment to the bill:

Amend House Bill No. 213 by adding at the end of Section 10 the following:

"The Natural Resource Commission shall be powerless to make any order of proration, or otherwise, which will deny the desired requirements of any pipe line or refinery engaged in manufacturing gas or petroleum oil products in Texas."

The amendment was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—64

| | |
|----------|----------|
| Adamson. | Butler. |
| Alsup. | Calvert. |
| Barrett. | Cathey. |
| Barron. | Cowley. |
| Bourne. | Dunagan. |
| Bradley. | Dwyer. |

| | |
|---------------------|-------------|
| Ford. | Merritt. |
| Fuchs. | Mitcham. |
| Glass. | Morrison. |
| Good. | Morse. |
| Griffith. | Munson. |
| Haag. | Patterson. |
| Harris. | Pavlica. |
| Head. | Purveyar. |
| Hester. | Ramsey. |
| Hill of Webb. | Ratliff. |
| Holekamp. | Roberts. |
| Holloway. | Russell. |
| Hoskins. | Shults. |
| Huddleston. | Steward. |
| Jones of Shelby. | Tennyson. |
| Kyle of Hays. | Thomas. |
| Kyle of Palo Pinto. | Tillery. |
| Latham. | Townsend. |
| Leonard. | Turlington. |
| Long. | Van Zandt. |
| Lotief. | Walker. |
| Magee. | Wells. |
| Mackay. | West. |
| McClain. | Winningham. |
| McCullough. | Wood. |
| McGregor. | Young. |

Nays—45

| | |
|-------------|-------------------|
| Aikin. | James. |
| Alexander. | Jefferson. |
| Anderson | Jones of Runnels. |
| of Bexar. | Lindsey. |
| Anderson | Mathis. |
| of Johnson. | McDougald. |
| Bedford. | Metcalf. |
| Burns. | Moffett. |
| Camp. | Nicholson. |
| Caven. | Ray. |
| Chastain. | Reader. |
| Clayton. | Reed of Bowie. |
| Coombes. | Reed of Dallas. |
| Daniel. | Rogers |
| Fain. | of Ochiltree. |
| Golson. | Rollins. |
| Goodman. | Scarborough. |
| Graves. | Scott. |
| Hankamer. | Stanfield. |
| Hartzog. | Stinson. |
| Hicks. | Stovall. |
| Hughes. | Tarwater. |
| Hunt. | Vaughan. |
| Hyder. | Wagstaff. |

Present—Not Voting

Beck.

Absent

| | |
|-------------|--------------------|
| Baker. | Harrison. |
| Crossley. | Hill of Brazoria. |
| Davidson. | Hodges. |
| Dean. | Holland. |
| Devall. | Jackson. |
| Dunlap. | Johnson |
| Engelhard. | of Anderson. |
| Fisher. | Jones of Atascosa. |
| Greathouse. | Kayton. |

| | |
|------------|-----------|
| Laird. | Renfro. |
| Lemens. | Riddle. |
| McKee. | Ross. |
| Moore. | Savage. |
| Palmer. | Smith. |
| Parkhouse. | Sullivan. |
| Pope. | Weinert. |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | |

Mr. Pope offered the following amendment to the bill:

Amend House Bill No. 213 by adding at the end of Section 10 the following:

"The Natural Resource Commission shall, immediately after this Act becomes effective, make such experiments, tests, meter tests, and inquiries to correctly ascertain the greatest amount of oil which may be taken from each well in each field in Texas, and from such individual well total give in barrels the amount per well which may be taken without injury to the well and/or field. No allowable shall ever hereafter be required or permitted from any well or field until such records are made. Such records shall be kept monthly up to date and at the office of the Natural Resource Commission, in Austin, Texas, and be open to inspection of the public at all times. No order fixing the allowable which may be taken from any well or field without injury to such well or field shall be valid unless based on scientific tests and correct conclusions resulting from the reasonable and practical methods of operating wells and oil fields to best produce oil."

The amendment was adopted by the following vote:

Yeas—86

| | |
|-----------|-----------|
| Adamson. | Dwyer. |
| Aikin. | Fisher. |
| Alsup. | Ford. |
| Anderson | Fuchs. |
| of Bexar. | Glass. |
| Baker. | Golson. |
| Barron. | Good. |
| Bourne. | Griffith. |
| Bradley. | Haag. |
| Butler. | Harris. |
| Cathey. | Harrison. |
| Chastain. | Hartzog. |
| Cowley. | Head. |
| Davidson. | Hester. |

| | |
|---------------------|-----------------|
| Hodges. | Ratliff. |
| Holland. | Ray. |
| Holloway. | Reader. |
| Hoskins. | Reed of Bowie. |
| Jackson. | Reed of Dallas. |
| Jones of Runnels. | Renfro. |
| Jones of Shelby. | Riddle. |
| Kayton. | Roberts. |
| Kyle of Hays. | Rollins. |
| Kyle of Palo Pinto. | Ross. |
| Laird. | Russell. |
| Latham. | Scarborough. |
| Leonard. | Scott. |
| Lindsey. | Shannon. |
| Long. | Shults. |
| Lotief. | Stanfield. |
| Magee. | Steward. |
| Mackay. | Stinson. |
| McClain. | Sullivan. |
| McCullough. | Tarwater. |
| McGregor. | Thomas. |
| Merritt. | Tillery. |
| Morrison. | Townsend. |
| Morse. | Turlington. |
| Munson. | Van Zandt. |
| Patterson. | Wells. |
| Pavlica. | Winningham. |
| Pope. | Wood. |
| Puryear. | Young. |
| Ramsey. | |

Nays—25

| | |
|---------------|------------|
| Anderson | Hughes. |
| of Johnson. | Hunt. |
| Barrett. | Hyder. |
| Burns. | James. |
| Calvert. | Jefferson. |
| Caven. | McDougald. |
| Clayton. | Metcalfe. |
| Coombes. | Mitcham. |
| Daniel. | Nicholson. |
| Fain. | Stovall. |
| Hankamer. | Vaughan. |
| Hicks. | Wagstaff. |
| Hill of Webb. | Walker. |

Present—Not Voting

| | |
|--------|----------|
| Dean. | Moffett. |
| McKee. | |

Absent

| | |
|-------------------|--------------------|
| Alexander. | Johnson |
| Beck. | of Anderson. |
| Bedford. | Jones of Atascosa. |
| Camp. | Lemens. |
| Crossley. | Mathis. |
| Devall. | Moore. |
| Dunlap. | Palmer. |
| Dunagan. | Parkhouse. |
| Engelhard. | Rogers |
| Goodman. | of Ochiltree. |
| Graves. | Savage. |
| Greathouse. | Smith. |
| Hill of Brazoria. | Tennyson. |
| Holekamp. | Weinert. |
| Huddleston. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | West. |
| Harman. | |

Mr. Burns offered the following amendment to the bill:

Amend House Bill No. 213 by adding to Section 16-a, after Subsection 2 thereof, another subsection, to be numbered properly, and to read as follows:

"The failure of any purchaser to account to the leaseholder and royalty owners interested in any leases from which oil is purchased, for all of the oil taken from said lease, or any well thereon, and/or pay said leaseholders and royalty owners their proportionate part of the purchase price thereof, shall be a felony, and upon conviction thereof said purchaser shall be subject to a fine of not less than one thousand dollars (\$1,000), or more than ten thousand dollars (\$10,000), and, if an individual, shall be subject to a term of imprisonment in the penitentiary for not less than two years, nor more than five years, or both said fine and imprisonment, and if a corporation, the charter or permit of said corporation shall be subject to forfeiture upon action of the Attorney General of Texas, brought in a court of competent jurisdiction for this purpose."

Mr. Long moved to suspend the House Rule, which provides that no motion to reconsider the vote by which the previous question was ordered can be made after a vote has been taken.

The motion to suspend the Rule was lost.

Question then recurring on the amendment by Mr. Burns, it was lost by the following vote:

Yeas—73

| | |
|-------------|-----------|
| Adamson. | Calvert. |
| Aikin. | Camp. |
| Alexander. | Caven. |
| Alsup. | Chastain. |
| Anderson | Clayton. |
| of Johnson. | Cowley. |
| Baker. | Crossley. |
| Barrett. | Daniel. |
| Beck. | Davidson. |
| Bedford. | Dean. |
| Bourne. | Fain. |
| Burns. | Fisher. |

| | |
|-------------------|----------------|
| Ford. | Puryear. |
| Glass. | Ramsey. |
| Graves. | Ratliff. |
| Greathouse. | Ray. |
| Harris. | Reader. |
| Hester. | Reed of Bowie. |
| Hodges. | Roberts. |
| Hoskins. | Rogers |
| Hughes. | of Ochiltree. |
| Hyder. | Rollins. |
| James. | Ross. |
| Jefferson. | Scarborough. |
| Jones of Runnels. | Scott. |
| Jones of Shelby. | Shults. |
| Kayton. | Stanfield. |
| Kyle of Hays. | Stovall. |
| Latham. | Sullivant. |
| Leonard. | Tarwater. |
| Lindsey. | Thomas. |
| Lotief. | Townsend. |
| Merritt. | Turlington. |
| Metcalf. | Van Zandt. |
| Moffett. | Vaughan. |
| Munson. | Winningham. |
| Parkhouse. | Wood. |
| Pope. | |

Nays—43

| | |
|---------------------|-------------|
| Anderson | Mathis. |
| of Bexar. | McClain. |
| Butler. | McCullough. |
| Cathey. | McDougald. |
| Dunagan. | McGregor. |
| Dwyer. | McKee. |
| Fuchs. | Morse. |
| Griffith. | Nicholson. |
| Haag. | Patterson. |
| Harrison. | Pavlica. |
| Head. | Renfro. |
| Hicks. | Riddle. |
| Hill of Webb. | Russell. |
| Holekamp. | Steward. |
| Holland. | Stinson. |
| Holloway. | Tennyson. |
| Huddleston. | Tillery. |
| Jackson. | Wagstaff. |
| Kyle of Palo Pinto. | Walker. |
| Long. | Weinert. |
| Mackay. | West. |
| Magee. | Young. |

Absent

| | |
|-------------------|--------------------|
| Barron. | Johnson |
| Bradley. | of Anderson. |
| Coombes. | Jones of Atascosa. |
| Devall. | Laird. |
| Dunlap. | Lemens. |
| Engelhard. | Mitcham. |
| Golson. | Moore. |
| Good. | Morrison. |
| Goodman. | Palmer. |
| Hankamer. | Reed of Dallas. |
| Hartzog. | Savage. |
| Hill of Brazoria. | Smith. |
| Hunt. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | Wells. |

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 213 was then passed by the following vote:

Yeas—70

| | |
|---------------------|-----------------|
| Alexander. | Lotief. |
| Alsup. | Mackay. |
| Anderson | Mathis. |
| of Bexar. | McClain. |
| Barrett. | McCullough. |
| Barron. | McGregor. |
| Butler. | Merritt. |
| Cathey. | Mitcham. |
| Devall. | Moffett. |
| Dunagan. | Morrison. |
| Dwyer. | Morse. |
| Fisher. | Nicholson. |
| Fuchs. | Palmer. |
| Golson. | Patterson. |
| Good. | Pavlica. |
| Graves. | Pope. |
| Griffith. | Ramsey. |
| Haag. | Reader. |
| Harris. | Reed of Dallas. |
| Harrison. | Renfro. |
| Hartzog. | Riddle. |
| Hill of Webb. | Russell. |
| Holekamp. | Shannon. |
| Holland. | Steward. |
| Holloway. | Tennyson. |
| Hoskins. | Tillery. |
| Huddleston. | Townsend. |
| Jackson. | Turlington. |
| Jones of Shelby. | Wagstaff. |
| Kayton. | Walker. |
| Kyle of Hays. | Weinert. |
| Kyle of Palo Pinto. | Wells. |
| Laird. | West. |
| Latham. | Winningham. |
| Lindsey. | Young. |
| Long. | |

Nays—63

| | |
|-------------|-----------|
| Adamson. | Caven. |
| Aikin. | Chastain. |
| Anderson | Clayton. |
| of Johnson. | Coombes. |
| Baker. | Cowley. |
| Beck. | Crossley. |
| Bedford. | Daniel. |
| Bourne. | Davidson. |
| Bradley. | Dean. |
| Burns. | Dunlap. |
| Calvert. | Fain. |
| Camp. | Glass. |

| | |
|-------------------|----------------|
| Goodman. | Ray. |
| Greathouse. | Reed of Bowie. |
| Hankamer. | Roberts. |
| Head. | Rogers |
| Hester. | of Ochiltree. |
| Hicks. | Rollins. |
| Hodges. | Ross. |
| Hughes. | Savage. |
| Hunt. | Scarborough. |
| Hyder. | Scott. |
| James. | Shults. |
| Jefferson. | Stanfield. |
| Jones of Runnels. | Stinson. |
| Leonard. | Stovall. |
| Magee. | Sullivant. |
| McDougald. | Tarwater. |
| McKee. | Thomas. |
| Metcalfe. | Van Zandt. |
| Munson. | Vaughan. |
| Puryear. | Wood. |
| Ratliff. | |

Present—Not Voting

| | |
|-------|-------------------|
| Ford. | Hill of Brazoria. |
|-------|-------------------|

Absent

| | |
|--------------------|------------|
| Engelhard. | Lemens. |
| Johnson | Moore. |
| of Anderson. | Parkhouse. |
| Jones of Atascosa. | Smith. |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Harman. |
| Colson. | Johnson |
| Duvall. | of Dimmit. |
| Few. | Rogers of Hunt. |

PAIRED

Mr. Hill of Brazoria (present), who would vote "yea," with Mr. Colson (absent), who would vote "nay."

Mr. Ford (present), who would vote "nay," with Mr. Johnson of Anderson (absent), who would vote "yea."

Mr. Anderson of Bexar moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—72

| | |
|------------|----------|
| Alexander. | Calvert. |
| Alsup. | Cathey. |
| Anderson | Devall. |
| of Bexar. | Dunlap. |
| Barrett. | Dunagan. |
| Barron. | Dwyer. |
| Butler. | Fisher. |

| | |
|---------------------|-----------------|
| Fuchs. | Merritt. |
| Golson. | Mitcham. |
| Good. | Moffett. |
| Griffith. | Morrison. |
| Haag. | Morse. |
| Harris. | Nicholson. |
| Harrison. | Palmer. |
| Hartzog. | Patterson. |
| Hill of Webb. | Pavlica. |
| Holekamp. | Pope. |
| Holland. | Ramsey. |
| Holloway. | Reader. |
| Hoskins. | Reed of Dallas. |
| Huddleston. | Renfro. |
| Jackson. | Riddle. |
| Jones of Runnels. | Russell. |
| Jones of Shelby. | Shannon. |
| Kayton. | Steward. |
| Kyle of Hays. | Tennyson. |
| Kyle of Palo Pinto. | Tillery. |
| Laird. | Townsend. |
| Latham. | Turlington. |
| Lindsey. | Wagstaff. |
| Long. | Walker. |
| Lotief. | Weinert. |
| Mackay. | Wells. |
| Mathis. | West. |
| McClain. | Winningham. |
| McCullough. | Young. |
| McGregor. | |

Nays—64

| | |
|-------------|----------------------|
| Adamson. | Hyder. |
| Aikin. | James. |
| Anderson | Jefferson. |
| of Johnson. | Jones of Atascosa. |
| Baker. | Leonard. |
| Beck. | Magee. |
| Bedford. | McDougald. |
| Bourne. | McKee. |
| Bradley. | Metcalfe. |
| Burns. | Munson. |
| Camp. | Parkhouse. |
| Caven. | Puryear. |
| Chastain. | Ratliff. |
| Clayton. | Ray. |
| Coombes. | Reed of Bowie. |
| Cowley. | Roberts. |
| Crossley. | Rogers of Ochiltree. |
| Daniel. | Rollins. |
| Davidson. | Ross. |
| Dean. | Savage. |
| Fain. | Scarborough. |
| Ford. | Scott. |
| Glass. | Shults. |
| Goodman. | Stanfield. |
| Graves. | Stinson. |
| Greathouse. | Stovall. |
| Hankamer. | Sullivant. |
| Head. | Tarwater. |
| Hester. | Thomas. |
| Hicks. | Van Zandt. |
| Hodges. | Vaughan. |
| Hughes. | Wood. |
| Hunt. | |

Absent

| | |
|-------------------|---------|
| Engelhard. | Lemens. |
| Hill of Brazoria. | Moore. |
| Johnson | Smith. |
| of Anderson. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Harman. |
| Colson. | Johnson |
| Duvall. | of Dimmit. |
| Few. | Rogers of Hunt. |

REASONS FOR VOTES

I voted for House Bill No. 213, which is known as the new Natural Resource Commission Bill, for the reason that I am convinced that the present Railroad Commission of Texas has so many other things to look after, such as the Bus and Truck Law, Gas Law, and Railroad matters, that they haven't sufficient time to properly devote to the oil industry in Texas. I have made a personal trip to the oil fields in East Texas and have viewed the situation openly and fairly. The salary that will have to be paid such new commission compared with the saving an efficient commission can make to the State does not amount to a great deal, and instead of increasing the taxes, it will, in my judgment, result in collecting a tremendous lot of revenue which is not now collected. I am further convinced that the State is now losing a large amount of revenue by reason of the inefficient enforcement of the oil laws.

FUCHS.

I voted for the new commission on oil, but I do not believe it is a good thing, but because so many of my people in the oil business have begged, and phoned, and telegraphed me to do so, and I do so to represent them.

FISHER.

After stating that I would not support the measure, I find, upon investigation, that the people of my county are overwhelmingly in favor of this bill, and I feel it my duty to carry out the will of my constituents regardless of my personal feelings.

SHANNON.

We voted "aye" for House Bill No. 213 even though our amendment failed the two-thirds majority re-

quired by one vote. We have been assured by the leaders in the Senate that they would adopt our amendment. We are of the opinion that the welfare of the State requires a new deal and an oil commission that can give its entire time to the study of this vital question.

HARTZOG,
YOUNG.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, April 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 502, A bill to be entitled "An Act amending Section 2, of Chapter 34, of the Acts of the First Called Session of the Forty-first Legislature of the State of Texas, so as to authorize the Commissioners Court of McLennan County to fix the salary of the road supervisor of said County; and by amending Section 22, of said Chapter 34, of the Acts of the First Called Session of the Forty-first Legislature, as amended by Chapter 26, of the Acts of the Second Called Session of the Forty-second Legislature of the State of Texas, so as to provide that county commissioners in McLennan County shall receive no compensation other than that provided by general law; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, and joint resolution, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 529, to the Committee on Education.

Senate Bill No. 50, to the Committee on Municipal and Private Corporations.

Senate Bill No. 274, to the Committee on Judiciary.

Senate Bill No. 502, to the Committee on Counties.

Senate Joint Resolution No. 1, to the Committee on Constitutional Amendments.

NOTICES GIVEN

Due notices were given that motions would be made, to take up, on the next legislative day, the following bills, which were heretofore laid on the table subject to call:

House Bills Nos. 183, 337, 55, 555, 384, 12, 95, 100, 144, 447, 508, 649, 655, 717, 844; and Senate Bill No. 165.

RECESS

Mr. Burns moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Long moved that the House recess to 9:30 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Burns, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—35

| | |
|---------------|-------------------|
| Anderson | Huddleston. |
| of Johnson. | Hughes. |
| Barrett. | Hunt. |
| Bedford. | Hyder. |
| Bourne. | Jones of Runnels. |
| Burns. | Kyle of Hays. |
| Calvert. | Magee. |
| Camp. | Munson. |
| Caven. | Parkhouse. |
| Chastain. | Patterson. |
| Coombes. | Reed of Bowie. |
| Cowley. | Reed of Dallas. |
| Daniel. | Savage. |
| Fisher. | Stovall. |
| Glass. | Sullivant. |
| Graves. | Tarwater. |
| Hill of Webb. | Vaughan. |
| Hodges. | Wagstaff. |

Nays—68

| | |
|------------|-----------|
| Aikin. | Clayton. |
| Alexander. | Crossley. |
| Alsup. | Davidson. |
| Anderson | Dean. |
| of Bexar. | Dunlap. |
| Baker. | Dunagan. |
| Bradley. | Dwyer. |
| Cathey. | Fain. |

| | |
|---------------------|---------------|
| Ford. | McCullough. |
| Fuchs. | McKee. |
| Golson. | Merritt. |
| Good. | Moffett. |
| Griffith. | Morse. |
| Haag. | Pavlica. |
| Hankamer. | Pope. |
| Harris. | Puryear. |
| Harrison. | Ratliff. |
| Hartzog. | Riddle. |
| Head. | Roberts. |
| Hester. | Rogers |
| Holekamp. | of Ochiltree. |
| Holland. | Rollins. |
| Holloway. | Russell. |
| Hoskins. | Scarborough. |
| James. | Shults. |
| Jones of Atascosa. | Stinson. |
| Kyle of Palo Pinto. | Tennyson. |
| Laird. | Thomas. |
| Latham. | Tillery. |
| Lindsey. | Townsend. |
| Long. | Turlington. |
| Lotief. | Walker. |
| Mackay. | Winningham. |
| Mathis. | Wood. |
| McClain. | Young. |

Present—Not Voting

McDougald.

Absent

| | |
|-------------------|------------|
| Adamson. | Metcalf. |
| Barron. | Mitcham. |
| Beck. | Moore. |
| Butler. | Morrison. |
| Devall. | Nicholson. |
| Engelhard. | Palmer. |
| Goodman. | Ramsey. |
| Greathouse. | Ray. |
| Hicks. | Reader. |
| Hill of Brazoria. | Renfro. |
| Jackson. | Ross. |
| Jefferson. | Scott. |
| Johnson | Smith. |
| of Anderson. | Stanfield. |
| Jones of Shelby. | Steward. |
| Kayton. | Van Zandt. |
| Lemens. | Weinert. |
| Leonard. | Wells. |
| McGregor. | |

Absent—Excused

| | |
|---------|-----------------|
| Canon. | Johnson |
| Colson. | of Dimmit. |
| Duvall. | Rogers of Hunt. |
| Few. | Shannon. |
| Harman. | West. |

Question then recurring on the motion by Mr. Long, it prevailed, and the House, accordingly, at 6:20 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

APPENDIX

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, April 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 878, "An Act amending Section 1, of Chapter 58, of the General Laws, of the Forty-second Legislature, Regular Session, redefining 'marginal wells,' and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

GOOD, Acting Chairman.

Committee Room,
Austin, Texas, April 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 275, "An Act providing for a game breeder's license, the fee for same; effective date of such licenses; the privileges granted under such license, with certain restrictions; providing for keeping of records of the operation of game breeders; providing certain regulations in reference to the transportation of game; providing for the tagging or banding of all game held by a game breeder; defining 'captivity'; providing for the issuance of certain permits and licenses; repealing Senate Bill No. 36, Third Called Session, Forty-second Legislature, and all laws in conflict herewith; providing suitable penalties; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,
Austin, Texas, April 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 663, "An Act authorizing any common school district, independent school district, consolidated common school district, consolidated independent school district, county line school

district, consolidated county line school district, or rural school district to hold an election for the purpose of the cancellation and revocation of any unsold school bonds, and providing that such election shall be ordered and held in the same form and manner provided for in voting such school bonds; providing for the cancellation and destruction of such unsold school bonds retired by reason of such election, and the adjustment of existing tax levies and refund of any taxes levied and collected in anticipation of the sale of such school bonds; providing that nothing in this Act shall be construed as affecting or invalidating any bond election held, or bonds previously issued by any such school district; providing for the payment of expenses of holding such election; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,

Austin, Texas, April 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 709, "An Act authorizing the board of directors of any water

improvement district or water control and improvement district within the State to remit, in whole or in part, the penalties and interest on all ad valorem taxes levied by such districts that are now delinquent and/or past due and unpaid, and which are paid on or before December 31, 1933; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,

Austin, Texas, April 24, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 815, "An Act to amend Special Laws, 1920, Thirty-sixth Legislature, Third Called Session, page 75, Chapter 30, Subdivision 8, known as 'Senate Bill No. 8,' so as to provide for three (3) local taxpayers to sit as a board of equalization, of which one shall be secretary of said equalization board, and shall fix a time for the meeting of such board of equalization; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

In Memory of
Mr. Y. E. Worley

Mr. Winningham offered the following resolution:

Whereas, On April 21, 1933, Mr. Y. E. Worley, of Brownsville, Texas, the beloved father-in-law of our beloved and esteemed Member, the Hon. Milton H. West, was called to his eternal reward; and

Whereas, Our deepest and most heartfelt sympathy at this time of bereavement goes out to our distinguished Member and his family; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That we now express to Mr. West, and the family of the deceased, our sincere sympathy in this hour of bereavement, and that when the House adjourns today, it do so out of honor and respect to the memory of Mr. Worley, and that a copy of this resolution be spread upon the Journal of the House, and that copies hereof be furnished to the Hon. Milton H. West, and to the Members of the family of the deceased.

WINNINGHAM,
STEWART,
FORD,
LEONARD.

The resolution was read second time, and was unanimously adopted.

In Memory of Major Charles H. Mills

Mr. Wells offered the following resolution:

Whereas, Major Charles H. Mills, of Corsicana, a Member of the Thirty-third Legislature, 1913-1915, departed this life, in Houston, on April 13, 1933, while temporarily there for treatment; his funeral services were held at Corsicana, in the home in which he was born sixty-five years before. He was the only son of the eminent Texan, Roger Q. Mills, who served his State and Nation with distinction as Colonel in the Confederate Army, Congressman, and United States Senator; and

Whereas, Major Mills was educated in the schools of Corsicana and in Washington, D. C., and was graduated from Georgetown University, at Washington. He was married to the beautiful Miss Rachael Simms, of Bryan, Texas, in 1893; and she survives him. He served his distinguished father as secretary until his retirement from office. He was appointed by President William McKinley as a Major in the Spanish-American War, and acquitted himself with merit. He was for years vice-president of the First National Bank of Corsicana, but his estate consisted largely of land, and he was admired and respected by those who tilled his acres; and

Whereas, He devoted himself to the finer things of life, and spent much of his time in the library accumulated by his father, and to which he constantly added; he was a cultured, scholarly gentleman, typical of the Old South. He and his devoted wife travelled extensively, having from time to time visited most of the countries of the world. He was a communicant and vestryman of St. John's Episcopal Church of Corsicana; he was one of the trustees administering the Garitty Charity Fund created by the late James Garitty, of Corsicana. He was an ardent admirer of clean sports; he possessed a rugged honesty, and was unyieldingly faithful to his well-seasoned convictions on government; he learned from his distinguished father, and from deep study, the philosophy of government, and was a Jeffersonian Democrat, able to sustain his views in any company. He left a marked impress upon the Legislative records of his State during his short service, and it is regrettable that he did not find the time for more extended service in that direction; and therefore be it

Resolved by the House of Representatives of Texas, That the passing of this distinguished native Texan, the people of our State, and especially of the City of Corsicana, and of Navarro County, have suffered an irreparable loss, and we extend to them and to the family, friends, and other relatives of Major Mills our sincere sympathy by reason of his death; and be it further

Resolved that a copy of this resolution be printed in the Journal of the House of Representatives, and that a copy of this resolution be mailed to his wife by the Chief Clerk of the House of Representatives.

WELLS,
GOODMAN,
STOVALL,
McGREGOR,
BURNS.

The resolution was read second time.

On motion of Mr. Patterson, the names of all the Members of the House of Representatives were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson of Bexar, Anderson of Johnson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Butler, Calvert, Camp, Canon, Cathey, Caven, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Ford, Fuchs, Glass, Golson, Good, Graves, Greathouse, Griffith, Haag, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hyder, Jackson, James, Jefferson, Johnson of Anderson, Johnson of Dimmit, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McClain, McCullough, McDougald, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhuse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Sullivant, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, West, Winningham, Wood, Young.

The resolution was then unanimously adopted.